



The Village of  
**PORT CLEMENTS**  
*"Gateway to the Wilderness"*

36 Cedar Avenue West  
PO Box 198  
Port Clements, BC  
V0T1R0  
OFFICE: 250-557-4295  
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Email: [office@portclements.ca](mailto:office@portclements.ca)  
Web: [www.portclements.ca](http://www.portclements.ca)

**7:00 p.m. Regular Meeting of Council, Monday, October 7<sup>th</sup>, 2019**

**AGENDA**

**1. ADOPT AGENDA**

**2. PETITIONS, DELEGATIONS & OPENING OF SEALED TENDERS**

**3. MINUTES**

M-1— October 7<sup>th</sup>, 2019 Regular Council Meeting Minutes

**4. BUSINESS ARISING FROM THE MINUTES & UNFINISHED BUSINESS**

UB-1 – Permissive Exemption Bylaw No. 454, 2019 – CAO Decock – Note this bylaw must be enacted prior to October 31, 2019 for BC Assessment to recognize the exemption.

*Recommended Motion:*

*THAT Council adopts the Permissive Exemption Bylaw No. 454, 2019 as presented.*

UB -2 –Request for Donation for Tradeshow - MIEDS

**5. ORIGINAL CORRESPONDENCE**

C-1 – Resource Benefit Alliance Update – Kris Boland, RBA Project Manager

C-2 – Request for Support for Animal Welfare Initiatives

C-2 – Request for a Letter of Support – Karen Walhout

**6. FINANCE**

**7. GOVERNMENT**

G-1—Zoning Bylaw No. 444, 2019 – FOR DISCUSSION ONLY

G-2—The Village of Port Clements Development, Works, Services and Subdivision Bylaw No. 455, 2019. – FOR DISCUSSION ONLY

**8. NEW BUSINESS**

**9. REPORTS & DISCUSSIONS**

**10. ACTION ITEMS**

A-1 – see Action Items list.

## **11. QUESTIONS FROM THE PUBLIC & PRESS**

## **12. IN-CAMERA**

**As per section 90 (1):**

(c) labour relations or other employee relations;

(g) litigation or potential litigation affecting the municipality;

(j) information that is prohibited, or information that if it were presented in a document would be prohibited, from disclosure under section 21 of the [\*Freedom of Information and Protection of Privacy Act\*](#);

## **13. ADJOURNMENT**



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**Minutes of the Regular Meeting of Council, Monday, October 7<sup>th</sup>, 2019**

**Present:**

Mayor Doug Daugert  
Councillor Ian Gould  
Councillor Teri Kish

CAO Ruby Decock

**Regrets:**

Councillor Kazamir Falconbridge  
Councillor Brigid Cumming

**Members of the Public and Press Present:** Julia Corbett, Aaron Cunningham, Bev Lore, Doris Watson, Marilyn Bliss.

**Meeting called to order at 7:02 PM**

Mayor Daugert: I call to order this meeting of the Council of the Village of Port Clements being held on the traditional territory of the Haida People.

**1. ADOPT AGENDA**

2019-10-247—Moved by Councillor Gould, seconded by Councillor Kish  
THAT the agenda be adopted with the addition of NB-1- Donation Request- MIEDS.  
**CARRIED**

**2. PETITIONS, DELEGATIONS & OPENING OF SEALED TENDERS**

T-1 – Opening of Rainbow Wharf Tenders  
2019-10-248—Moved by Councillor Gould, seconded by Councillor Kish  
THAT Council receives both packages.  
**CARRIED**

**3. MINUTES**

M-1— September 16<sup>th</sup>, 2019 Regular Council Meeting Minutes  
2019-10-249—Moved by Councillor Kish, seconded by Mayor Daugert  
THAT the September 16<sup>th</sup>, 2019 Regular Council Meeting Minutes be adopted with amendments to Wayne Nicol's question under section 11. Questions from the Public & Press, changing "r funding" to "for funding".  
**CARRIED**

M-2—September 18<sup>th</sup>, 2019 Special Council Meeting Minutes

2019-10-250—Moved by Councillor Kish, seconded by Mayor Daugert

THAT the September 18<sup>th</sup>, 2019 Special Council Meeting Minutes be adopted as presented.

**CARRIED**

2019-10-251—Moved by Mayor Daugert, seconded by Councillor Kish.

THAT Council use the Northern Capital and Planning Grant to hire Double Drilling and Western Water Associates as motioned in the September 18<sup>th</sup>, 2019 meeting.

**CARRIED**

#### **4. BUSINESS ARISING FROM THE MINUTES & UNFINISHED BUSINESS**

UB-1 – Purchasing Policy No.03 -- Review & Amend – CAO Decock

2019-10-252—Moved by Councillor Gould, seconded by Councillor Kish

THAT Council receives the Report with the revised and amended Purchasing Policy No.03.

**CARRIED**

2019-10-253—Moved by Councillor Gould, seconded by Councillor Kish

THAT Council adopts the revised and amended Purchasing Policy No.03.

**CARRIED**

#### **5. ORIGINAL CORRESPONDENCE**

C-1 – North Coast Regional District Board Highlights – NCRD

2019-10-254—Moved by Councillor Gould, seconded by Councillor Kish

That Council receives the North Coast Regional District Board Highlights.

**CARRIED**

#### **6. FINANCE**

#### **7. GOVERNMENT**

G-1—Winter Holidays Grant – CAO Decock

2019-10-255—Moved by Councillor Gould, seconded by Councillor Kish

THAT the Village of Port Clements supports an application to the Gwaii Trust Society's 2019 Winter Holidays grant for \$10,000 to support the annual 'Port Bucks' program, Seniors' Christmas dinner, Breakfast with Santa, and Tlell Christmas Party.

**CARRIED**

G-2—NDIT Fall Grants for MIEDS: Grant Writer and Economic Development Capacity Building Program Grant Applications -- MIEDS

2019-10-256—Moved by Councillor Kish, seconded by Mayor Daugert

That Council receives CAO Decock's report.

**CARRIED**

2019-10-257—moved by Councillor Gould, seconded by Mayor Daugert

That Council supports the MIEDS application to Northern Development Initiative Trust (NDIT) 2019 Grant Writer Support Program.

**CARRIED**

2019-10-258—moved by Councillor Kish, seconded by Mayor Daugert

THAT Council approves the 2020 administrative budget for the Grants Manager be \$4595.00.

**CARRIED**

M-1

2019-10-259—Moved by Mayor Daugert, seconded by Councillor Gould  
THAT Council supports the MIEDS application to Northern Development Initiative Trust (NDIT) 2019 Economic Development Capacity Building Program.  
**CARRIED**

G-3 – Animal Welfare Representative – Jennifer Rutt  
2019-10-260—Moved by Councillor Kish, seconded by Councillor Gould  
THAT Council appoints Councillor Kish as the representative and Councillor Gould as the alternate for the Animal Welfare Working Group.  
**CARRIED**

## **8. NEW BUSINESS**

NB-1—Donation Request- MIEDS  
2019-10-261—Moved by Councillor Gould, seconded by Councillor Kish  
THAT Council receives CAO Decock's verbal report.  
**CARRIED**

2019-10-262—Moved by Mayor Daugert, seconded by Councillor Gould  
THAT Council tables the request for the donation for MIEDS trade show for additional information for the October 21<sup>st</sup>, 2019.  
**CARRIED**

## **9. REPORTS & DISCUSSIONS**

R-1 – Report on UBCM 2019 - Mayor Daugert  
R-2-- NCRD Regional Meeting – Mayor Daugert  
2019-10-263—Moved by Councillor Gould, seconded by Councillor Kish  
THAT Council receives Mayor Daugert's UBCM 2019 Report and NCRD Regional Meeting Report.  
**CARRIED**

### **R-3--CAO Decock Updates:**

UBCM Convention- Attended clinic on Emergency Health Services: Developing Municipal Agreements, Small Talk Forum (jointly presented with NCRD & VQC on the Tsunami Pole Project & attended luncheon). Attended the Trade Show and found valuable contacts on software, streetlights, and municipal items (ie. water metering, plant containers, consulting firms, resource services, etc.); attended clinic Be Fair: Responding Effectively to Complaints, attended the NCLGA Luncheon. Attended the CAO Breakfast (discussion of upcoming new tools & papers for CAO's were presented and discussion on Local Government Benefit Programs); attended BC Hydro meeting with Mayor Daugert.

NDIT Intern – This program was from May 2019 and set to complete in April 2020. Intern Emily Welford gave her notice in September 2019 and her last day of work was September 30, 2019. This means that funding of \$40,000 from NDIT Intern Program budget and the Gwaii Trust Communities Innovation Grant will not be fully utilized. In discussions with NDIT, the program decided not to refill her position.

Vibrant Community Updates – Application for funding the Rainbow Wharf Maintenance through the Vibrant Communities Grant has been submitted to Gwaii Trust. Awaiting approval for the approval of the funding. If successful, the remaining budget in the Vibrant Communities Grant for Port Clements is approximately \$314,000. However, the remainder of the grant money has been allocated in capital projects in 2019 and 2020. Most of the 2019 budget is not going to be used because of the well project portion being used from the Northern Capital & Planning Grant.

Replacing Asbestos Cement Water lines -AC pipe replacement budgeted for replacement in 2020 through the Rural Dividends fund; however, as the VOPC was unsuccessful in the sewer lagoon funding all funding through sewer replacement costs will be acquired through another application being sought out by the current Sewer design and proposal works being completed by P.S. Turje & Associates. Anticipate replacement costs for the AC cement will be postponed until 2021

Clinic Heat Return Ventilation System – Budgeted and install proposed for October/November 2019.

BC Ambulance Trailer Install – In early October, BC Ambulance will be installing a trailer adjacent to the Ambulance Station. This trailer will provide sleeping quarters, bathroom & shower facilities for ambulance staff.

Fire Hall Exterior Renovations – Contract has been awarded to Shaaroon Services. Roof has been completed and siding has been commenced. Project has been delayed due to shipping of materials and specialty items (doors, windows, lights) not arriving. Original completion date was September 30, 2019; however an extension has been given to contractor to complete the project by the end of October 2019.

Sewer Lagoon Study & Engineering Work – P.S. Turje & Associates were contracted to assist VOPC in becoming compliant with the legislated Wastewater Effluent Discharge requirements. Work is on track with the necessary on site professional surveys being completed and a License of Occupation for adjacent lands has been acquired to expand the sewer treatment facilities. Funds for this portion of the project is being funded by the Northern Capital & Planning Grant. Submission for infrastructure grants will be submitted in early 2020.

Well Development – In August 2018, Council applied to the Green Infrastructure – Investing in Canada Infrastructure Program to obtain funds to develop a new well development, connect it to the Water Treatment Plant. The application was unsuccessful. In September 2019, Council agreed to drill two wells and hire Western Water Associates hydrologist. Wells are scheduled to be drilled in November 2019 when Double D Drilling returns to Haida Gwaii. The Village will apply for grants that will fund connecting the wells to the Water Treatment Plant and all electrical monitoring requirements.

CAO Decock's plans for October 2019 – 5-year Strategic Planning Session with Council at end of October or beginning of November; October 19 – 25<sup>th</sup> attending Statutory Approving Officers Training in Kamloops. Developing Adjudication Bylaw, Human Resource Policy development and revision

2019-10-264—Moved by Councillor Gould, seconded by Councillor Kish  
THAT Council receives CAO Decock's updates.  
**CARRIED**

**Councillor Kish** – met with Minister Jinny Simms and MLA Jennifer Rice about Fibre Optics.

**Councillor Gould** – Attended Minister Jinny Simms meeting. Going to be submitting report Council about Tourism/Recreation Coordinator around October 21<sup>st</sup> meeting. Is going to check up with Ministry on power disruptions.

2019-10-265—Moved by Mayor Daugert, seconded by Councillor Kish  
THAT Council receives the verbal reports from Councillor Kish and Councillor Gould.  
**CARRIED**

## **10. ACTION ITEMS**

A-1 – see Action Items list.

## **11. QUESTIONS FROM THE PUBLIC & PRESS**

**Bev Lore:** Regarding the work on the Rainbow Wharf, what size vehicles are going to be permitted? Is it just going to be a standard for regular vehicles or is it going to be up to salt trucks?

**Answer:** it is designed for lighter loads, so not salt trucks or other equipment vehicles. The way it is designed does not even allow for barges to moor at it currently without incurring damage to the structure. The repair work is more about getting the structure in order, but it would be down to pickups. Until Council makes a motion to unlock Rainbow Wharf to vehicle traffic it will continue to be unavailable, especially due to the previous issues with misuse from oversized vehicles. The endemic issues with the structure are going to prevent it from being used as it has been used in the past, as it just was not designed for some uses and it cannot be adapted without rebuilding it. Council cannot permit uses beyond the structure's capacity; it creates a liability. Exceptions might be made within the limitations given by the Engineers, and we are trying to get it to where it is insurable to have events out there and still maintain our good liability insurance rates.

## **12. IN-CAMERA**

## **13. ADJOURNMENT**

2019-10-266—Moved by Councillor Kish

THAT the Council Meeting be adjourned at 8:11 PM.

**CARRIED**

**VILLAGE OF PORT CLEMENTS**  
**PERMISSIVE EXEMPTION BYLAW,**  
**BYLAW NO. 454, 2019**

This bylaw is established to define the areas exemption from taxation pursuant to Section 224 of the *Community Charter* and will be cited for all purposes as "Permissive Exemption Bylaw, No. 454"

The Council of the Village of Port Clements, in open meeting assembled, enacts as follows:

**WHEREAS:**

1. As per the Community Charter [Section 224], Council may by bylaw exempt properties from taxation by the Village of Port Clements for a set term.
2. The following properties or portions of properties situated in the Village of Port Clements, B.C. shall be and are hereby exempt from property taxation by the Village of Port Clements for the years 2020 – 2029 inclusive.
  - a. Lot A, Block 54, Plan PRP13227, DL 746 owned by Cedarview Pentecostal Church and used as a public place of worship.

READ A FIRST TIME THIS 16<sup>th</sup> DAY OF SEPTEMBER 2019  
READ A SECOND TIME THIS 16<sup>th</sup> DAY OF SEPTEMBER 2019  
READ A THIRD TIME THIS 16<sup>th</sup> DAY OF SEPTEMBER 2019

RECONSIDERED AND FINALLY ADOPTED THIS \_\_<sup>th</sup> DAY OF \_\_ 2019

\_\_\_\_\_  
Douglas Daugert  
MAYOR

\_\_\_\_\_  
Ruby Decock  
CAO

\_\_\_\_\_  
CERTIFIED TO BE A TRUE COPY OF "PERMISSIVE EXEMPTION BYLAW NO. 454, 2019."



## Ruby Decock

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**From:** Alanah Mountifield <alanah@gohaidagwaii.ca>  
**Sent:** October-17-19 4:42 PM  
**To:** Ruby Decock  
**Subject:** Tradeshow Support

Hi Ruby,

As a follow up to the request for trade show sponsorship I submitted last week, I'm providing more detail for you to share with Port Council.

The trade show budget is fully covered by the NDIT Love Northern BC program grant and contributions from partners and sponsors such as HG Community Futures, Northern Savings Credit Union and the Haida Gwaii Coop. The budget is fully covered and MIEDS is not looking for sponsorship to cover a funding shortfall. Rather, the idea behind the sponsorship was to recognize the civic governments at show and the recognition would be facilitated by a small donation. The donation would have been applied to the overall event budget and reduce the cost of the event.

The request was somewhat last minute and I've since rescinded it. MIEDS has not received any sponsorship from the other villages or NCRD.

Thanks very much for following up!

Best,

**Alanah Mountifield**

Economic Development Manager,

Misty Isles Economic Development Society

Go Haida Gwaii ~ Love Haida Gwaii

113 Oceanview Drive | PO Box 652, Queen Charlotte, BC V0T 1S0

Phone (250) 559-8050 | Cell (250) 637-1403

[alanah@gohaidagwaii.ca](mailto:alanah@gohaidagwaii.ca)



**TO:** RBA Member Local Governments  
**FROM:** Kris Boland, RBA Project Manager  
**DATE:** September 30, 2019  
**RE:** RBA Update

## **RECOMMENDATION:**

**This report is provided for information only.**

## **BACKGROUND:**

The Northwest BC Resource Benefits Alliance (the "RBA") is made up of 21 local governments in the North Coast, Kitimat-Stikine and Bulkley-Nechako Regional Districts. The RBA's goal is to negotiate a new funding agreement with the Province of British Columbia to ensure the significant amount of major industrial development taking place in Northwest BC builds strong, sustainable and livable communities.

## **DISCUSSION AND ANALYSIS:**

### **2019 UBCM Convention**

The Union of British Columbia Municipalities annual convention took place recently in Vancouver from September 23 to September 27, which provided an opportunity to meet with representatives from the provincial government to discuss the needs of RBA communities.

On September 26, 2019, the RBA Steering Committee plus six appointed regional district representatives met with the Honourable John Horgan, Premier; the Honourable Carole James, Minister of Finance; and the Honourable Selina Robinson, Minister of Municipal Affairs and Housing. The meeting was very productive, with Premier Horgan firmly committing to negotiate a resource benefits sharing agreement with the RBA during the BC NDP's current term of office. The Premier did acknowledge that current financial resources are limited due to a recent downturn in economic activity, and that any agreement would likely see the flow of new funds timed to coincide with a new major revenue source coming online, such as when the LNG Canada project becomes operational.

This is an important step forward for the RBA, and staff will work diligently with representatives from the Province of BC in the coming months to ensure progress is made towards a resource benefits sharing agreement.

The RBA Steering Committee and regional district appointees also took the opportunity to meet with the BC Liberal Party and the BC Green Party at the UBCM Convention. The goal of these meetings was to ensure all members of the Legislative Assembly of British Columbia are aware and informed of the needs of communities within the RBA.

### Sustainability and Livability Plan for Northwest BC

CitySpaces Consulting Ltd. and staff are continuing to work on the Sustainability and Livability Plan for Northwest BC. This project is currently on schedule and within the approved budget. A preliminary summary of the findings to date was provided to the Ministry of Finance and the Ministry of Municipal Affairs and Housing, in advance of the meeting at the UBCM Convention. The final report is scheduled to be complete on October 31, 2019, subject to the final review and approval of the RBA Steering Committee.

Staff from the various RBA member communities have provided an overwhelming amount of information and support to facilitate the preparation of the plan, and they should be commended for their contribution towards building the RBA's business case.

### **FINANCIAL IMPLICATIONS:**

There are no financial implications directly associated with this report. The Sustainability and Livability Plan for Northwest BC is currently within the approved budget, and is expected to complete on time and within budget.



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Prepared by/contact: Kris Boland, RBA Project Manager



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Approved by: Ron Poole, RDKS CAO

Electoral Area D  
Electoral Area E  
Old Massett  
Skidegate  
Village of Masset  
Village of Port Clements  
Village of Queen Charlotte

October 1, 2019

Dear Local Community Leaders:

Thank you for serving our community.

I understand that animal welfare volunteers have been engaging with you for the past 1.5 years to create a plan to substantially improve animal welfare on Haida Gwaii.

I ask you, my community leaders, to:

- develop a common set of animal responsibility bylaws that are agreed to by all community governments on Haida Gwaii;
- develop a funding agreement to jointly hire an animal bylaw officer, who would work in all Islands communities to educate residents about the animal responsibility bylaws and take enforcement action when necessary; and
- finalize a plan for an animal holding and adoption facility, which would serve all the Islands communities.

As a resident, I encourage you to work diligently with animal welfare organizations, volunteers, and other community governments on Haida Gwaii to move forward on the above actions. Please ensure proper care of domestic animals and support for animal welfare volunteers and professionals who are so critical to helping the animals in need on Haida Gwaii.

Sincerely,

Tammy	Abbott	Electoral area D (rural Graham Island)
Carolyn	Andrews	Electoral area D (rural Graham Island)
Andrea	Barker	Electoral area D (rural Graham Island)
Carol	Barron	Electoral area D (rural Graham Island)
Debbie	Beemer	Electoral area D (rural Graham Island)
Jessi	Bell	Electoral area D (rural Graham Island)
Ruth	Bellamy	Electoral area D (rural Graham Island)
Laura	Bishop	Electoral area D (rural Graham Island)
Doug	Black	Electoral area D (rural Graham Island)
Colleen	Bradley	Electoral area D (rural Graham Island)
Dejah	Busch	Electoral area D (rural Graham Island)
Emily	Campbell	Electoral area D (rural Graham Island)

Linda	Clements	Electoral area D (rural Graham Island)
Tauren	Collinson	Electoral area D (rural Graham Island)
Elizabeth	Condrotte	Electoral area D (rural Graham Island)
Georgia	Davis	Electoral area D (rural Graham Island)
Tawn	Dingwall	Electoral area D (rural Graham Island)
Breanna	Drover	Electoral area D (rural Graham Island)
Karen	Drummond	Electoral area D (rural Graham Island)
Debora	Erickson	Electoral area D (rural Graham Island)
Kazamir	Falconbridge	Electoral area D (rural Graham Island)
Angela	Foster	Electoral area D (rural Graham Island)
Jennifer	Friesen	Electoral area D (rural Graham Island)
Matthew	Goyette	Electoral area D (rural Graham Island)
Shannon	Greenwood	Electoral area D (rural Graham Island)
Carolyn	Hesseltine	Electoral area D (rural Graham Island)
Veronika	Higlister	Electoral area D (rural Graham Island)
Janice	Holdershaw	Electoral area D (rural Graham Island)
Crystal	Holdershaw	Electoral area D (rural Graham Island)
Skyla	Holdershaw	Electoral area D (rural Graham Island)
Kirsten	Hood	Electoral area D (rural Graham Island)
Anna Maria	Husband	Electoral area D (rural Graham Island)
George	Husband	Electoral area D (rural Graham Island)
Myrna	Jacobson	Electoral area D (rural Graham Island)
Jean	Juhas	Electoral area D (rural Graham Island)
Cherie	Kalhofer	Electoral area D (rural Graham Island)
Alexis	Koome	Electoral area D (rural Graham Island)
Sal	Lawsen	Electoral area D (rural Graham Island)
Kayla	MacDermid	Electoral area D (rural Graham Island)
Kaylene	MacGregor	Electoral area D (rural Graham Island)
Rachelle	MacMullin	Electoral area D (rural Graham Island)
Carrie	Marshall	Electoral area D (rural Graham Island)
Kyle	Marshall	Electoral area D (rural Graham Island)
Ron	Masch	Electoral area D (rural Graham Island)
Kandiss	McDonald	Electoral area D (rural Graham Island)
Judy	Mckinley	Electoral area D (rural Graham Island)
Almudena	Miles	Electoral area D (rural Graham Island)
Tanmy	Muller	Electoral area D (rural Graham Island)
Susan	Musgrave	Electoral area D (rural Graham Island)
Carey	Newell	Electoral area D (rural Graham Island)
Dan	Peebles	Electoral area D (rural Graham Island)
Simone	Peerless	Electoral area D (rural Graham Island)
Sophie	Peerless	Electoral area D (rural Graham Island)

Terri	Penner	Electoral area D (rural Graham Island)
Ginette	Pineault	Electoral area D (rural Graham Island)
Elin	Price	Electoral area D (rural Graham Island)
Heidi	Richardson	Electoral area D (rural Graham Island)
Don	Richardson	Electoral area D (rural Graham Island)
Dane	Richardson	Electoral area D (rural Graham Island)
Mike	Richardson	Electoral area D (rural Graham Island)
Janet	Rigg	Electoral area D (rural Graham Island)
Jake	Ronnenkamp	Electoral area D (rural Graham Island)
Falyn	Sahonovitch	Electoral area D (rural Graham Island)
Anne	Salomon	Electoral area D (rural Graham Island)
Shelley	Sansome	Electoral area D (rural Graham Island)
Elisa	Schatz	Electoral area D (rural Graham Island)
Barbara	Sky	Electoral area D (rural Graham Island)
Peter	Sloan	Electoral area D (rural Graham Island)
John	Smith	Electoral area D (rural Graham Island)
Steven	Standbridge	Electoral area D (rural Graham Island)
Stephanie	Sterling	Electoral area D (rural Graham Island)
Colleen	Thompson	Electoral area D (rural Graham Island)
Marilynne	Thorgeirson	Electoral area D (rural Graham Island)
Sheyla	Ventura	Electoral area D (rural Graham Island)
Vanessa	Wahl	Electoral area D (rural Graham Island)
Catherine	Waterer	Electoral area D (rural Graham Island)
Cal	Westbrook	Electoral area D (rural Graham Island)
Laura	Williams	Electoral area D (rural Graham Island)
Vanessa	Wilson	Electoral area D (rural Graham Island)
Lou	Wilson	Electoral area D (rural Graham Island)
Shane	Windatt	Electoral area D (rural Graham Island)
Jillian	Yemen	Electoral area D (rural Graham Island)
Etchi	Zaleski	Electoral area D (rural Graham Island)
Martin	Aalders	Electoral area E (Sandspit)
Jeannette	Atkinson	Electoral area E (Sandspit)
Cathy	Baran	Electoral area E (Sandspit)
Rebecca	Bos	Electoral area E (Sandspit)
Parker	Braman	Electoral area E (Sandspit)
Nicole	Campbell	Electoral area E (Sandspit)
Laurie	Chisholm	Electoral area E (Sandspit)
Michelle	Cilli	Electoral area E (Sandspit)
Betsy	Cranmer	Electoral area E (Sandspit)
Sylvia	Doll	Electoral area E (Sandspit)
Malcolm	Drake	Electoral area E (Sandspit)

Marie	Octaviano	Skidegate
Tyra	Parker	Skidegate
Alicia	Pearson	Skidegate
Sara	Pryce	Skidegate
Graham	Richard	Skidegate
Jason	Rupke	Skidegate
Carla	Russ	Skidegate
William	Russ	Skidegate
Skylar	Russ	Skidegate
Cori	Savard	Skidegate
Stefanie	Stephens	Skidegate
Caterina	Stewart	Skidegate
Jackie	Taylor	Skidegate
Bonnie	Walker	Skidegate
Krista	Wallace	Skidegate
Steven	Wesley	Skidegate
Samantha	Wesley	Skidegate
Josh	Wesley	Skidegate
Fawn	Williams	Skidegate
Sherry	Williams	Skidegate
Nadine	Wilson	Skidegate
Cherie	Wilson	Skidegate
Moir	Wissink	Skidegate
Tyler	York	Skidegate
Selena	Adams	Village of Masset
Teresa	Adams	Village of Masset
Josh	Aitken	Village of Masset
Kelly	Aitken	Village of Masset
Josh	Aitken	Village of Masset
Elaine	Atkins	Village of Masset
Ron	Atwell	Village of Masset
Christopher	Atwell	Village of Masset
Robert	Baker	Village of Masset
Jennifer	Baldwin	Village of Masset
Keith	Bedard	Village of Masset
Jennica	Bell	Village of Masset
Courtney	Bell	Village of Masset
Adrienne	Bertrand	Village of Masset
Colleen	Bielby	Village of Masset
Sherry	Bradley	Village of Masset
Deirdre	Brennan	Village of Masset

Ryan	Brown	Village of Masset
Laura	Burton-Scheer	Village of Masset
Cathy	Camp	Village of Masset
Terry	Carty	Village of Masset
Keshia	Chutter	Village of Masset
John	Chutter	Village of Masset
John	Curran	Village of Masset
Ashley	Currie	Village of Masset
Meghan	Daoust	Village of Masset
Madi	Drescher	Village of Masset
Walter	Driediger	Village of Masset
Maxine	Edgars	Village of Masset
Sandra	Edgars	Village of Masset
Jamie	Edwards	Village of Masset
Barb	Elduayen	Village of Masset
Joan	Ewson	Village of Masset
Susan	Fahlman	Village of Masset
Rose	Flem-Ath	Village of Masset
Randi	Flem-Ath	Village of Masset
Carissa	Fowler	Village of Masset
Lisa	Froese	Village of Masset
Genevieve	Gay	Village of Masset
Gerd	Harbauer	Village of Masset
S.	Harrington	Village of Masset
Margo	Hearne	Village of Masset
Scott	Helderweirt	Village of Masset
Russell	Herkes	Village of Masset
Sylvia	Hoffmann	Village of Masset
Lori	Holt	Village of Masset
Matt	Hope	Village of Masset
Courtenay	Hudebine	Village of Masset
Andy	Hudson	Village of Masset
Chris	Jamieson	Village of Masset
Anita	Johnny	Village of Masset
Lorrie	Joron	Village of Masset
Laureen	Kean	Village of Masset
Natasha	Kellett	Village of Masset
Christine	Kienzle	Village of Masset
Chris	Kienzle	Village of Masset
Georgia	Klevgaard	Village of Masset
Linda	Knox	Village of Masset



Allison	Kozak	Village of Masset
Gaetane	Lanthier	Village of Masset
Evelyn	Lavrisa	Village of Masset
Barb	Lawrence	Village of Masset
Nicole	Lewis	Village of Masset
Karen	Lloyd	Village of Masset
Cindy	Lowrie	Village of Masset
Meaghan	MacArthur	Village of Masset
Cheryl	Mackenzie	Village of Masset
Kal	Manna	Village of Masset
Solange	Marchand	Village of Masset
Joan	Mark	Village of Masset
Mary Ellen	Marshall	Village of Masset
Anneliese	Mason	Village of Masset
Jana	McLeod	Village of Masset
Kelley	McLeod	Village of Masset
Anne Marie	Mol	Village of Masset
Randi	Morton	Village of Masset
Traci	Murphy	Village of Masset
Audrey	Mushynsky	Village of Masset
Jane	Nelson	Village of Masset
Lorraine	Nelson	Village of Masset
Sherry	Nickle	Village of Masset
Thomas	Oord	Village of Masset
Sandra	Pages	Village of Masset
Sally	Parnell	Village of Masset
Tracy	Pegahmagabow	Village of Masset
Laura	Petersen	Village of Masset
Mike	Picher	Village of Masset
Leila	Riddall	Village of Masset
Herb	Riddall	Village of Masset
Shannon	Rivest	Village of Masset
Joey	Rudichuk	Village of Masset
Allison	Russ	Village of Masset
Amanda	Salmon	Village of Masset
Lisa	Schultz	Village of Masset
William	Skinner	Village of Masset
Sharlene	Smith	Village of Masset
Kevin	Smith	Village of Masset
Sharlene	Smith	Village of Masset
Dory	Spencer	Village of Masset

Monica	Stevens	Village of Masset
Darlene	Stoddard	Village of Masset
Susan	Taylor	Village of Masset
Ryker	Temple	Village of Masset
Jack	Thorgeirson	Village of Masset
Louise	VanderLinden	Village of Masset
Marijke	VanderLinden	Village of Masset
Tine	VanderLinden	Village of Masset
Lynn	Vankoughnett	Village of Masset
Claire	Vardy	Village of Masset
Rebeka	Vogstad	Village of Masset
Evelyn	von Almassy	Village of Masset
Meghan	Wallace	Village of Masset
Keturah	Walton	Village of Masset
Debra	Wasmuth	Village of Masset
Rose	White	Village of Masset
Laura	Williams	Village of Masset
G.L.		
Terri-Lynn	Williams-Davidson	Village of Masset
Jorden	Wolfe	Village of Masset
Melanie	Woode	Village of Masset
Lareina	Woode	Village of Masset
Alana	Wortsman	Village of Masset
Jennifer	Bailey	Village of Port Clements
Maureen	Bailey	Village of Port Clements
Darlene	Bond	Village of Port Clements
Julia	Breese	Village of Port Clements
Cheryle-Ann	Brooks	Village of Port Clements
Melisa	Campbell	Village of Port Clements
Dawn	Capling	Village of Port Clements
Julia	Corbett	Village of Port Clements
Amber	Fleming	Village of Port Clements
Marion	Gaspar	Village of Port Clements
Allan	Grosvenor	Village of Port Clements
Pat	Johnston	Village of Port Clements
Stephanie	Martin	Village of Port Clements
Lyn	McAlpine	Village of Port Clements
Sian	Nalleweg	Village of Port Clements
Kim	Nemanishen	Village of Port Clements
Tina	Ooishi	Village of Port Clements
Jennifer	Pigeon	Village of Port Clements

Jacquie	Poschmann	Village of Port Clements
Dayna	Rowlett	Village of Port Clements
Sabine	Saswirsky	Village of Port Clements
Rowena	Scheck	Village of Port Clements
Tiffany	Scholey	Village of Port Clements
Betty	Stewart	Village of Port Clements
Greg	Stewart	Village of Port Clements
Celina	Sullivan	Village of Port Clements
Shellene	VanderBeke	Village of Port Clements
Tory	Aiken	Village of Queen Charlotte
Evan	Amies-Galonski	Village of Queen Charlotte
Heidi	Archer	Village of Queen Charlotte
Jamille	Austrial	Village of Queen Charlotte
Mark	Baggaley	Village of Queen Charlotte
Edith	Bell	Village of Queen Charlotte
Jody	Bissett	Village of Queen Charlotte
Maggie	Borrowman	Village of Queen Charlotte
Isaac	Bowey	Village of Queen Charlotte
Ezra	Bowey	Village of Queen Charlotte
Eleanor	Bowman	Village of Queen Charlotte
Kenneth	Brillon	Village of Queen Charlotte
John	Broadhead	Village of Queen Charlotte
Ashley	Bruce	Village of Queen Charlotte
Aggie	Cangardel	Village of Queen Charlotte
Skye	Cantin	Village of Queen Charlotte
Elizabeth	Cardell	Village of Queen Charlotte
Bobbi-Lee	Chatelaine	Village of Queen Charlotte
James	Chemko	Village of Queen Charlotte
Hillary	Clark	Village of Queen Charlotte
Amy	Clarkson	Village of Queen Charlotte
Chloe	Clarkson	Village of Queen Charlotte
Jessica	Collingridge	Village of Queen Charlotte
James	Crones	Village of Queen Charlotte
Meghan	Cross	Village of Queen Charlotte
Alison	Daso	Village of Queen Charlotte
Margaret	Davies	Village of Queen Charlotte
Leona	Dawe	Village of Queen Charlotte
Stevie-Lynn	DeGroot	Village of Queen Charlotte
Terrie	Dionne	Village of Queen Charlotte
Donna	Duffy	Village of Queen Charlotte
Jonathan	Dunsmore	Village of Queen Charlotte

Maurice	Dunsmore	Village of Queen Charlotte
Morgan	Edison	Village of Queen Charlotte
Astrid	Egger	Village of Queen Charlotte
Alicia	Embree	Village of Queen Charlotte
Helen	Engelbert	Village of Queen Charlotte
Ceitlynn	Epners	Village of Queen Charlotte
Shelagh	Farrell	Village of Queen Charlotte
Haley	Fields	Village of Queen Charlotte
Karen	Foerter	Village of Queen Charlotte
Fran	Fowler	Village of Queen Charlotte
Stephanie	Fung	Village of Queen Charlotte
Caroline	Galt	Village of Queen Charlotte
Debra	Gardiner	Village of Queen Charlotte
Mike	Garrett	Village of Queen Charlotte
Dorothy	Garrett	Village of Queen Charlotte
Katie	Greene	Village of Queen Charlotte
Rosanne	Haas	Village of Queen Charlotte
Rhonda	Hall	Village of Queen Charlotte
Tina	Hamlin	Village of Queen Charlotte
Brianne	Hamlyn	Village of Queen Charlotte
Chris	Hamlyn	Village of Queen Charlotte
Minnie	Harris	Village of Queen Charlotte
Breanna	Heffelfinger	Village of Queen Charlotte
Elin	Hilgemann	Village of Queen Charlotte
Erik	Holl	Village of Queen Charlotte
Kayley	Hollyer	Village of Queen Charlotte
Emma	Hoogland	Village of Queen Charlotte
Iana	Hooley	Village of Queen Charlotte
Tana	Hooper	Village of Queen Charlotte
Kathleen	Howes	Village of Queen Charlotte
Shari	Howlett	Village of Queen Charlotte
Bernie	Howlett	Village of Queen Charlotte
Kate	Hurt	Village of Queen Charlotte
Ashley	Husband	Village of Queen Charlotte
Mecca	Huston	Village of Queen Charlotte
Olivia	Ives	Village of Queen Charlotte
Leslie	Johnson	Village of Queen Charlotte
April	Johnson	Village of Queen Charlotte
Monica	Jones	Village of Queen Charlotte
Kayla	Jones	Village of Queen Charlotte
Gin	Kampen	Village of Queen Charlotte

Georgia	Kehl	Village of Queen Charlotte
Lisa	Kendall	Village of Queen Charlotte
Clint	Kendrick	Village of Queen Charlotte
Jenna	Keshavjee	Village of Queen Charlotte
Heather	Kolankowski	Village of Queen Charlotte
Stephanie	Korolyk	Village of Queen Charlotte
Connie	Kuerten	Village of Queen Charlotte
Faye	Laidlaw	Village of Queen Charlotte
Jane	Langton	Village of Queen Charlotte
Nicole	Lau	Village of Queen Charlotte
Danielle	Lavoie	Village of Queen Charlotte
Joe	Lavoie	Village of Queen Charlotte
Lenore	Lawrence	Village of Queen Charlotte
Eva	Lazorek	Village of Queen Charlotte
Gerry	Leminski	Village of Queen Charlotte
Linda	Louis	Village of Queen Charlotte
Alissa	MacMullin	Village of Queen Charlotte
Jo-Anne	MacMullin	Village of Queen Charlotte
Jessica	Madrid	Village of Queen Charlotte
Gabriela	Magana	Village of Queen Charlotte
Wendy	Malesku	Village of Queen Charlotte
Patricia	Manning	Village of Queen Charlotte
Micheala	Marentette	Village of Queen Charlotte
Mavis	Mark	Village of Queen Charlotte
Ivan	Marko	Village of Queen Charlotte
Greg	Martin	Village of Queen Charlotte
Gwen	Marty	Village of Queen Charlotte
Michael	McDonald	Village of Queen Charlotte
Shirley	Mckenzie	Village of Queen Charlotte
Debra	Mcmillan	Village of Queen Charlotte
Helen	McPhee	Village of Queen Charlotte
Lucy	McRae	Village of Queen Charlotte
Sarah	Megyesi	Village of Queen Charlotte
Deborah	Miller	Village of Queen Charlotte
Kamila	Mlynczak	Village of Queen Charlotte
Firyal	Mohamed	Village of Queen Charlotte
Pete	Moore	Village of Queen Charlotte
Sean	Muise	Village of Queen Charlotte
Jay	Myers	Village of Queen Charlotte
Lee-Al	Nelson	Village of Queen Charlotte
Jessie	Newman	Village of Queen Charlotte

Kathy	Noh	Village of Queen Charlotte
Lea	Olsen	Village of Queen Charlotte
Bonnie	Olson	Village of Queen Charlotte
Carlos	Ormond	Village of Queen Charlotte
Faustine	Paulco	Village of Queen Charlotte
Marvin	Pearson	Village of Queen Charlotte
Lao	Peerless	Village of Queen Charlotte
Teresa	Pillott	Village of Queen Charlotte
Reine	Pineault	Village of Queen Charlotte
Keirsten	Poepjes	Village of Queen Charlotte
Miranda	Post	Village of Queen Charlotte
Steve	Ramsbottom	Village of Queen Charlotte
Stephen	Reece	Village of Queen Charlotte
Allister	Reid	Village of Queen Charlotte
Erica	Reid	Village of Queen Charlotte
Lance	Reid	Village of Queen Charlotte
Alice	Rhyslynn	Village of Queen Charlotte
Megan	Romas	Village of Queen Charlotte
Averie	Romas	Village of Queen Charlotte
Greta	Romas	Village of Queen Charlotte
Nina	Rosmini	Village of Queen Charlotte
Danielle	Roy	Village of Queen Charlotte
Jennifer	Rutt	Village of Queen Charlotte
Hannah	Sahonovitch	Village of Queen Charlotte
Joe	Sahonovitch	Village of Queen Charlotte
Michelle	Scott	Village of Queen Charlotte
Andrew	Serson	Village of Queen Charlotte
Eliza	Shane	Village of Queen Charlotte
Caroline	Shooner	Village of Queen Charlotte
Deanna	Shrimpton	Village of Queen Charlotte
Alma-Rose	Siddall	Village of Queen Charlotte
Kara	Sievwright	Village of Queen Charlotte
Ganimul	Singh	Village of Queen Charlotte
Peter	Sinkins	Village of Queen Charlotte
Stella	Sinkins	Village of Queen Charlotte
Claire	Sinkins	Village of Queen Charlotte
Allison	Sinkins	Village of Queen Charlotte
Colton	Sjolund	Village of Queen Charlotte
Caitlynn	Skafe	Village of Queen Charlotte
Serena	Smith	Village of Queen Charlotte
Bonnie	Smythe	Village of Queen Charlotte

Simon	Stonard	Village of Queen Charlotte
Misty	Surtees	Village of Queen Charlotte
Wayde	Sydia	Village of Queen Charlotte
Brad	Tanner	Village of Queen Charlotte
John	Thomas	Village of Queen Charlotte
Roland	Thompson	Village of Queen Charlotte
Winnie	Tsai	Village of Queen Charlotte
Catherine	Van der Linden	Village of Queen Charlotte
Julia	Weder	Village of Queen Charlotte
Blair	Weinberg	Village of Queen Charlotte
Todd	Weisbrot	Village of Queen Charlotte
Abbey	Weisbrot	Village of Queen Charlotte
Jayne	Wenlock	Village of Queen Charlotte
Nancy	Wesley	Village of Queen Charlotte
Jennifer	White	Village of Queen Charlotte
James	Wilson	Village of Queen Charlotte
Darleen	Wulff	Village of Queen Charlotte

## Elizabeth Cumming

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**From:** Karen Walhout <kwalhout@sd50.bc.ca>  
**Sent:** October-16-19 4:42 PM  
**To:** outreach@islandswellnesssociety.com; Elizabeth Cumming; Brenda Byberg;  
omvceas@masset.ca; lauren@skidegate.ca; sdfaw@skidegate.ca;  
cao@queencharlotte.ca  
**Subject:** ASIST Program: Please Support

To whom it may concern,  
Mental Health Councillor Dan Binnema and myself, Karen Walhout, have been offering Applied Suicide Intervention Skills Training (ASIST) on island for one year. We have been fortunate to have had grants from Gwaii Trust and the First Nations Health Authority while working with the Skidegate Health Center. At the moment we have no non-profit affiliation but are looking for support to apply for Gwaii Trust funding once more, in order for the program to be available to all community members. If your organization can help us apply or offer a letter of support, that would be greatly appreciated. Bellow is a description of the course. The deadline for our application is November 1st.

Thank you for your time,  
Sincerely,  
Karen Walhout  
250-637-1918

ASIST is a two day workshop that prepares one to provide life-assisting, verbal first aid. At a LivingWorks ASIST workshop, participants learn how to prevent suicide by recognizing signs, providing a skilled intervention, and developing a safety plan to keep someone alive. Anyone 16 or older can learn these life-saving skills. By providing these workshops in Haida Gwaii, we hope to increase awareness, support those at risk, and create a network of caregivers.





## REPORT TO COUNCIL

Author: Ruby Decock, CAO  
Date: October 18, 2019  
Re: Haida Gwaii Connectivity – Fibre Optic Cable – Community Plans

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### BACKGROUND

The Connecting British Columbia program is a province-wide program administered by Northern Development Initiative Trust (Northern Development) and is available to all eligible applicants. It is funded by the Province of British Columbia. Eligible applicants can apply for up to 75% of eligible project costs to a maximum of \$15,000 per project. The program will begin to accept applications on July 1, 2018 until funding is fully committed. A municipal council resolution of support/approval for the proposed project must be dated with reference to the proposed application for the project.

### DISCUSSION

The Village of Queen Charlotte is interested in applying for Northern Development Initiative Trust funding to hire a Telecommunications Consultant to compile a needs assessment and suggest solutions to those needs. Presently, the majority of the Village of Port Clements has received fibre to the home install. Although the install has been completed in the municipality, it did not include the Industrial Road nor undeveloped properties. Future property development, such as the Village owned properties, could benefit from this strategy.

### IMPLICATIONS:

<b>STRATEGIC</b>	<b>(Guiding Documents Relevancy – Strategic Plan, Official Community Plan)</b> This aligns with the official community plan in that it is applicable to economic development and diversification.
<b>FINANCIAL</b>	<b>(Corporate Budget Impact)</b> The municipality can receive up to \$15,000 and depending on the cost of the project, would have to pay up to \$5000 to see the full \$15,000 from NDIT.
<b>ADMINISTRATIVE</b>	<b>(Workload Impact and Consequence)</b> Administrative workload will increase because staff will need to administer the contract, provide information to the consultant for the Telecommunications needs assessment report and complete grant reporting on the project.

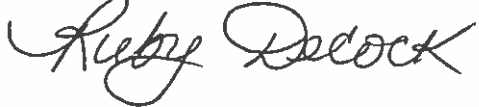
### OPTIONS:

1. THAT Council agrees to make a joint application with the Village of Queen Charlotte to apply for funding to hire a Telecommunications Consultant to compile a needs assessment and suggest solutions.

C-4

2. THAT Council does not make it's own application nor an application with the Village of Queen Charlotte to apply for funding to hire a Telecommunications Consultant to compile a needs assessment and suggest solutions.

Respectfully Submitted:



Enclosure – Connecting BC Program – Connectivity Infrastructure Strategy Application Guide

- Email Fr. Lori Weideman, CAO

## Ruby Decock

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**From:** Lori Wiedeman <cao@queencharlotte.ca>  
**Sent:** October-17-19 9:22 AM  
**To:** Ruby Decock; Daniel Fish - NCRD (cao@ncrd.bc.com); Trevor Jarvis; Alanah Mountifield (alanah@gohaidagwaii.ca)  
**Cc:** Sandra Brown; Allison Sinkins; Andrew Hudson (andrew@gohaidagwaii.ca)  
**Subject:** Haida Gwaii Connectivity - Fibre Optic Cable - Community Plans

Good morning,

Further to Alanah's email of October 3, 2019, highlighting the funding that is available for last mile fibre projects, QC discussed this opportunity at last night's Committee of the Whole meeting.

QC is interested in applying for funding to hire a Telecommunications Consultant to compile a needs assessment and suggest solutions and this will be on our agenda for October 21 at the regular Council meeting. NDIT provides up to 75% of the maximum \$15,000, so we are planning to use our UBCM Gas Tax Community Works fund for the matching \$.

If any other community is interested in making this a joint application please let me know. As Andrew will be working on our grant application it should be fairly straightforward to expand it, or just copy it and make adjustments.

Thanks.

**Lori Wiedeman**  
**Chief Administrative Officer**  
Village of Queen Charlotte  
PO Box 580, 903A Oceanview Drive V0T1S0  
Phone: 250 559 4765 | Cell: 250 637 1782 | Fax: 250 559 4742  
Email: [cao@queencharlotte.ca](mailto:cao@queencharlotte.ca) | Web: [www.queencharlotte.ca](http://www.queencharlotte.ca)



# Connecting British Columbia Program Phase Two – Intake Two – Connectivity Infrastructure Strategy Application Guide



## Introduction

The Connecting British Columbia program is a province-wide program administered by Northern Development Initiative Trust (Northern Development) and is available to all eligible applicants. It is funded by the Province of British Columbia.

## Program Purpose

The current objective of the multi-year Connecting British Columbia program is to accelerate the delivery of high-speed internet connectivity at minimum target speeds of 50 megabits per second (Mbps) down and 10 Mbps up to homes and businesses in rural communities in B.C.

The high cost of infrastructure has been identified by local governments, First Nations, and internet service providers as one of the key barriers to expanding internet services. The Connecting British Columbia program helps pay for infrastructure required to deliver high-speed internet connectivity to rural areas of the province.

This stream of the Connecting British Columbia program provides funding to support the development of regional connectivity infrastructure strategies. Strategies should ensure that infrastructure investments are coordinated, scalable, and provide value for money and achieve priority objectives for the region.

Approved projects must be completed by March 31, 2020.

## Eligible Applicants

Examples of eligible applicants include:

- Municipal government or regional district established by BC legislation.
- Not-for-profit government organizations.
- First Nations or First Nations organizations – i.e. band council or a corporation controlled by a First Nation.

Individuals cannot apply to the program.

C-4

## Eligible Project and Support

This program intake, effective July 1, 2018, is to provide funding support for local municipal governments, regional districts and First Nations with limited capacity to undertake a connectivity infrastructure strategy (e.g., feasibility assessments, business cases, developing applications) to develop sustainable connectivity infrastructure projects.

Applications will be reviewed and assessed on a first come, first serve basis until available funds are committed.

The development of connectivity infrastructure strategies are important to ensure that infrastructure investments are, to the extent possible, coordinated, scalable, provide value for money and achieve priority objectives for the region.

Applicants may contract qualified third-party consultants to provide communities with access to tools and resources to navigate the connectivity landscape, including best practices and shared learning.

Written support from the local government body, is required before an application will be considered for funding.

Eligible project activities are outlined below.

### Connectivity Infrastructure Strategy

The program will allow communities to access third party funding to offset the cost of hiring a telecommunications consultant to assist with rural and remote community connectivity planning. The consultants will provide communities with access to tools and resources to navigate the connectivity landscape, including best practices and shared learning. Eligible project types and activities may include

- Community engagement activities that guide the design and implementation of broadband projects.
- Relationship, partnership and coalition development to assist with connectivity expansion initiatives.
- Providing assistance to support applications to federal government connectivity programs.
- Research and reports that inform and support the design, build and operations of networks, including technical specifications, landing stations, and the preparation of engineer-stamped business cases, if required.
- Interpretation of regulatory decisions and advice on implications for community connectivity plans.
- The development of comprehensive business documents for telecommunications services such as business cases, value assessments, stakeholder plans, accountability matrixes, acquisition plans, governance plans and transition plans.
- Benchmarking studies and best practice reviews.
- Development of change management strategies and governance structures.
- Project management, coordination and development.

A [Sample Regional Connectivity Infrastructure Strategy Framework Template](#) is available as a guide for reference. The template is not a required document to be used by applicants to this program.

C-4

An approved connectivity infrastructure strategy development grant does not provide a guarantee of funding in subsequent applications submitted to the program.

Note: This funding is NOT for 'Smart Cities' projects.

## Funding Limit

Eligible applicants can apply for up to 75% of eligible project costs to a maximum of \$15,000 per project.

## Third Party Contributions

Applications to the Connecting British Columbia program must also demonstrate leveraged funds from other sources that may include: funds from the applicant, funds from other funding agencies or funds from federal and/or other levels of government. However, any funds that were previously granted by the Province for other connectivity programs may not be used to leverage Connecting British Columbia funds.

## Project Timelines

Applications must demonstrate that the project will be completed by March 31, 2020. A high-level project plan, including major milestones is strongly preferred.

Applications for projects with an immediate start date will be more favourably ranked in the assessment and review process. The need for additional steps before a project can start (e.g., securing other funding, completion of other projects) will be taken into consideration in the review and assessment of applications. Such applications may also be deferred for consideration to a future intake round pending availability of funds.

## Eligible and Ineligible Costs

Eligible costs under the program are the reasonable and essential expenses required to complete the project. The program will fund consulting services and associated cost related to development of the connectivity infrastructure strategy. The determination of eligible expenses rests with the program.

### Eligible Costs

- Consulting services, including:
  - Project management, feasibility studies related directly to the project.
  - Design/engineering costs.
  - Business planning development, and project-related professional fees.
- Consultant travel costs:
  - Cost of travel which is deemed necessary to the performance of the project.
  - Travel expenses, at economy rates, shall be charged at actual costs.
  - To be eligible, travel costs must clearly document the purpose of each trip and be considered reasonable by the program.
- PST.

### Ineligible Costs

- Permits and approvals.
- Legal costs.
- Professional fees for memberships or accreditations.
- Academic research that does not deliver concrete actions or tangible benefits.
- In-kind contributions.
- Costs incurred prior to the date of written conditional approval of the application by Northern Development.
- GST or HST.

## Applying to the Program

The application form is available for download at [www.northerndevelopment.bc.ca/funding-programs/partner-programs/connecting-british-columbia/](http://www.northerndevelopment.bc.ca/funding-programs/partner-programs/connecting-british-columbia/). Please note that some components of the application (i.e., council/band resolutions) may require additional time and planning to complete.

The program will begin to accept applications on July 1, 2018 until funding is fully committed. All applications received by the program will be treated as confidential.

Applications must contain all completed Required Attachments for the application to be considered. Incomplete applications will not be reviewed.

All program communication will take place with the primary contact using the contact information provided in the application. It is the responsibility of the applicant to notify Northern Development regarding any changes to the contact information provided.

If you need help in completing your application, please refer to section titled 'Application Support'.

## Required Attachments

Attachments to the application are mandatory and must be submitted at the same time as the application. All attachments must be specific to the legal entity applying for funding and may not be from a related organization such as a parent company or subsidiary. If mandatory attachments are not included with the application, the application will not be considered for the funding.

- Consultant proposal including quote(s).
- One of the following:
  - Municipal Council / Regional District resolution of support/approval for the proposed project.
    - Letters must be recently dated and reference the project.
  - Band Council Resolution, Tribal Council Resolution or other equivalent documentation from self-governing First Nations indicating support for the proposed project.
    - Resolutions must be signed and recently dated and reference the project.
- Funding approval letters from other sources.

**NOTE:** Failure to submit the completed required attachments will result in the ineligibility of the application.

C-4

## Project Review and Assessment

Eligible applications will be subject to a review and assessment process.

If additional information is determined to be needed to support the review and assessment, eligible applicants will be contacted, and additional information requested.

Funding decisions are final.

## Project Approval, Grant Agreement and Reporting

Awarding of funding to successful applicants will be conditional upon finalization of a grant agreement that sets out the terms and conditions of funding. The program reserves the right to award partial contributions of the total funding requested.

Grant agreements will require the applicants to follow the program guidelines and requirements, including submitting progress reports and financial reporting documents. Funding recipients will be required to submit progress reports and a final report that outlines the project's performance and outcomes. Further details on reporting requirements will be provided to successful applicants.

Failure to meet the requirements of the grant agreement could result in the requirement for the repayment of funding to the program and disqualify the funding recipients from further applications to the program.

## Events and Communications

The grant agreement may require the following:

- Funding recipients must keep the program contact person(s) informed in advance (with a minimum notice period) of any promotional activities or events related to the project.
- The program funder (the Government of British Columbia and the Ministry of Citizens' Services) be acknowledged in project communications, events and signage.
- Consent of the Province to publish project details in reports and in promotion of the program (i.e., on websites and in public material).

## Freedom of Information

Applications submitted under the program are subject to the Freedom of Information and Protection of Privacy Act. The information being collected is for the purpose of administering the program and evaluating eligibility of the proposal.



## Reference Material

A new Connectivity Handbook has been developed to promote the importance of access to affordable, reliable and adequate broadband infrastructure to meet the needs of British Columbians. The Handbook is intended to help local governments and community organizations become more engaged, taking on leadership roles in defining key service deficiencies and unserved or under-served areas; and, in developing practical plans that can lead to realistic and affordable broadband solutions to meet those needs.

## Sample Regional Connectivity Infrastructure Strategy Framework Template

A [Sample Regional Connectivity Infrastructure Strategy Framework Template](#) is available as a guide for reference. The template is not a required document to be used by applicants to this program.

## Application Support / Contact

If you have a question that is not addressed in this program guide, support is available from program staff at:

**Northern Development Initiative Trust**

301-1268 Fifth Avenue

Prince George, BC V2L 3L2

250-561-2525

[info@northernddevelopment.bc.ca](mailto:info@northernddevelopment.bc.ca)

[www.northernddevelopment.bc.ca](http://www.northernddevelopment.bc.ca)

# THE VILLAGE OF PORT CLEMENTS

## BYLAW NO. 444, 2019

AND WHEREAS the *Council* pursuant to the Local Government Act wishes to adopt amendment procedures;

AND WHEREAS the *Council* pursuant to the Local Government Act wishes to adopt a Zoning Bylaw;

AND WHEREAS the *Council* pursuant to the Local Government Act, may require owners or occupiers of, any *building or structure* to provide off-street parking and loading spaces for the *building or structure*;

AND WHEREAS the *Council* pursuant to the Local Government Act may regulate the number AND size, type, form, appearance and location of any *signs*;

AND WHEREAS the *Council* pursuant to the Local Government Act may require and regulate the provision of *screening or landscaping*;

AND WHEREAS the *Council* pursuant to the Local Government Act may regulate the minimum *frontage of parcels* created by subdivision;

NOW THEREFORE the *Council* of the *Village* of Port Clements in open meeting, lawfully assembled ENACTS AS FOLLOWS:

(1) The text and the Zoning Map Schedule A, attached hereto and forming part of this Bylaw, are hereby together designated as the Zoning Bylaw of the *Village* of Port Clements.

(2) Bylaw No. 184, 1988 cited as "The *Village* of Port Clements Zoning Bylaw No. 184" and Bylaws amending No. 184 are hereby repealed – being bylaws # 218, 231, 244, 261, 263, 270, 271, 272, 279, 290, 292, 295, 402, 426.

(3) This Bylaw may be cited for all purposes as "Zoning Bylaw No. 444, 2017 of the *Village* of Port Clements".

# VILLAGE OF PORT CLEMENTS

## ZONING BYLAW



READ A FIRST TIME THIS \_\_ th DAY OF \_\_\_\_, 2019.

READ A SECOND TIME THIS \_\_th DAY OF \_\_\_\_, 2019.

RECEIVED A PUBLIC HEARING THIS \_\_st. DAY OF \_\_\_\_, 2019.

READ A THIRD TIME THIS \_\_rd- DAY OF - \_\_\_\_, 2019.

RECONSIDERED AND ADOPTED THIS \_\_ DAY OF \_\_\_\_, 2019

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Mayor Doug Daugert

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CAO Ruby Decock

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Chief Administrative Officer

Certified to be a true copy

## TABLE OF CONTENTS

PART 1 INTERPRETATION .....	7
1. TITLE .....	7
2. APPLICATION .....	7
3. DEFINITIONS .....	7
PART 2 ADMINISTRATION .....	15
2.1. COMPLIANCE .....	15
2.2. NON-CONFORMING USE .....	15
2.3. ENFORCEMENT .....	15
2.4. PENALTY .....	15
2.5. SEVERABILITY .....	15
2.6. OTHER REGULATIONS .....	16
PART 3 AMENDMENT PROCEDURES .....	17
3.1. REZONING APPLICATIONS .....	17
3.2. BOARD OF VARIANCE .....	17
3.3. DEVELOPMENT VARIANCE PERMITS .....	17
PART 4 GENERAL PROVISIONS .....	18
4.1. APPLICATION .....	18
4.2. FLOOD DAMAGE PROTECTION .....	18
4.3. RIPARIAN AREA SETBACKS .....	19
4.4. FENCES .....	19
4.5. SCREENING AND LANDSCAPING .....	19
4.6. VISIBILITY .....	19
4.7. STORAGE OF VEHICLES .....	20
4.8. USES PERMITTED IN ALL ZONES .....	20
4.9. MINIMUM <i>PARCEL FRONTAGE</i> .....	21
4.10. CIRCUMSTANCES WHERE MINIMUM LOT SIZES DO NOT APPLY .....	21
4.11. PANHANDLE LOT .....	22

4.12.	EXISTING LOTS .....	22
4.13.	PRINCIPAL BUILDINGS AND THEIR SITING.....	22
4.14.	ACCESSORY USES, BUILDINGS AND STRUCTURES AND THEIR SITING .....	22
4.15.	<i>HOME OCCUPATIONS</i> .....	22
4.16.	<i>HEIGHT OF BUILDINGS AND STRUCTURES</i> .....	23
4.17.	MEASUREMENTS .....	23
PART 5 SIGN AND NOTICE REGULATIONS .....		23
5.1.	PURPOSE .....	23
5.2.	SIGN PROJECTION .....	23
5.3.	ROOF SIGNS .....	23
5.4.	ILLUMINATION.....	23
5.5.	SIGN HEIGHT.....	24
5.6.	PERMITTED SIGNS .....	24
5.7.	LIMITED ADVERTISING SIGNS.....	25
PART 6 OFF-STREET PARKING AND OFF-STREET LOADING .....		26
A.	OFF-STREET PARKING.....	26
6.1.	EXISTING BUILDINGS STRUCTURES AND USES .....	26
6.2.	VOLUNTARY ESTABLISHMENT OF PARKING FACILITIES .....	26
6.3.	UNITS OF MEASUREMENT.....	26
6.4.	REQUIRED OFF-STREET <i>PARKING SPACES</i> .....	26
6.5.	USE OF PARKING FACILITIES.....	28
6.6.	LOCATION AND SITING OF PARKING FACILITIES.....	29
6.7.	REQUIRED BICYCLE PARKING FACILITIES .....	29
6.8.	DEVELOPMENT AND MAINTENANCE STANDARDS .....	30
B.	OFF-STREET LOADING.....	30
6.9.	EXISTING BUILDINGS, STRUCTURES AND USES .....	30
6.10.	UNITS OF MEASUREMENT .....	31
6.11.	MIXED OCCUPANCIES .....	31
6.12.	REQUIRED OFF-STREET LOADING SPACES .....	31
6.13.	LOCATION AND SITING OF LOADING FACILITIES .....	31
6.14.	DEVELOPMENT AND MAINTENANCE STANDARDS.....	32
PART 7 ZONE REQUIREMENTS.....		33
7.1.	ZONE DESIGNATIONS .....	33

7.2.	BOUNDARIES OF ZONES .....	33
7.3.	ZONE DISTRICTS .....	34
7.3.1.	RESIDENTIAL, URBAN ZONE (R-1).....	34
7.3.2.	RURAL RESIDENTIAL, ZONE (R-2) .....	35
7.3.3.	<i>MULTIPLE</i> FAMILY RESIDENTIAL, ZONE (RM-1) .....	37
7.3.4.	<i>MOBILE HOME PARK</i> ZONE (MH-2).....	38
7.3.5.	COMMERCIAL CORE ZONE (C-1) .....	39
7.3.6.	COMMERCIAL SERVICE ZONE (C-2).....	42
7.3.7.	MARINE COMMERCIAL ZONE (M-1) .....	44
7.3.8.	MARINE INDUSTRIAL ZONE (M-2) .....	46
7.3.8.A.	Marine Industrial Zone (M-2-A).....	47
7.3.9.	MARINE TOURISM ZONE (M-3).....	49
7.3.10.	LIGHT INDUSTRIAL ZONE (I-1).....	51
7.3.11.	HEAVY INDUSTRIAL, ZONE (I-2) .....	53
7.3.12.	PUBLIC USE AND PARK (P).....	54
7.3.13.	RESOURCE AREAS ZONE (RS).....	56

## PART 1 INTERPRETATION

### 1. TITLE

- (1) This Bylaw may be cited as the "*Village of Port Clements Zoning Bylaw No. 444, 2019*", and further referred to herein as "this Bylaw".

### 2. APPLICATION

- (1) This Bylaw shall be applicable to the entire geographical area of the *Municipality* as shown on "Schedule A Zoning Map" and to all *land, water, buildings and structures* therein.

### 3. DEFINITIONS

- (1) In this Bylaw, unless the context otherwise requires:

"*ACCESSORY BUILDING AND STRUCTURE*" means a subordinate detached *building* or *structure* which is:

- (a) used for the better enjoyment of the *building* to which it is accessory, and
- (b) situated upon the *lot* on which the main *building* is or is being erected, and shall include detached tool houses, carports, and private garages;

"*ACCESSORY USE*" means a use that is ancillary and/or auxiliary to the *primary use* on the site and which is customarily incidental and subordinate to the *primary use* but specifically excludes residential uses;

"*ALTERATION* or *ALTERED*" means a *building* or *structure* to which an addition is made or in which any structural change is made;

"*APARTMENT*" means a *building* containing three or more self-contained *dwelling units*, intended to be occupied as a permanent home, as distinct from a *hotel, motel, or motor-hotel*;

"*BED AND BREAKFAST*" means the provision of nightly accommodation and breakfast for travellers in a private *dwelling unit*.

"*BOARDER* or *LODGER*" means a person who rents a sleeping room, with or without individual toilet facilities in a *dwelling unit* occupied by a family to which he is not related by blood or marriage;



"BOARDING, LODGING or ROOMING HOUSE" means a *dwelling* in which 2 or more *sleeping units* are rented, with or without meals, being provided, to not exceed 10 persons, other than members of the family of the lessee, tenant or owner, and excludes the preparation of meals within the rented units;

"BUILDING" means a *structure*, located on the ground, which is *designed*, erected or intended for the support, enclosure, or protection of persons or property;

"CAMPGROUND" means a site providing for the *seasonal* and *temporary* accommodation of travellers using tents, travel trailers or recreation vehicles, but specifically excludes a *mobile home park, hotel, motel, or holiday park*. This does not apply to *Campgrounds* licensed under the Community Care and Assisted Facility Act, as may be amended from time to time;

"CAMPING SITE" means an area in a *campground* used for one trailer, recreation vehicle, or tent;

"CLASS 2 BICYCLE PARKING" means a short-term visitor bicycle parking facility that may offer some security, and may be partially protected from the weather such as a bike rack at a *building's* entrance

"CONVENIENCE STORE" means a retail sales outlet contained under one roof, having a floor area not exceeding 200 m<sup>2</sup>, and providing for the retail sale and display of everyday household items, including food, beverage, books, magazines and household accessories but specifically excludes industrial uses and *gasoline service stations*;

"COUNCIL," means the *Council* of the *Village* of Port Clements;

"DENSITY" means a measurement of development intensity on a site which shall be in either of the following forms:

(a) *Floor Area Ratio*: means the figure obtained when the area of all the floors of the *buildings* on a site excluding those areas which are used for parking within the outermost walls of a *building* or underground and is ancillary to the principal use is divided by the area of the site. The area of the floor of the *building* shall be measured to the inside edge of the exterior walls and shall not include balconies, canopies terraces, and loft spaces. In the event that parking is a principal use of the site, those areas which are used for parking within the outermost walls of a *building* or underground and is a principal use of the site shall be counted in the calculation of the *Floor Area Ratio*;

(b) *Unit Density*: means the figure obtained when the total number of *dwelling units* constructed or to be constructed on a site is divided by the total area of the site;

"DWELLING UNIT" means a suite operated as a housekeeping unit used or intended to be used as a residence and usually containing cooking, eating, living, sleeping and sanitary facilities;

"DWELLING, SINGLE FAMILY" means any detached *building* consisting of one *dwelling unit* which is occupied or intended to be occupied as the permanent home or residence of one family;

"DWELLING, TWO-FAMILY OR DUPLEX" means any detached *building* consisting of two *dwelling units*, each of which are occupied or intended to be occupied as the permanent home or residence of one family;

"DWELLING, MULTIPLE FAMILY" means any *building* which is divided into three or more *dwelling units*, each of which is occupied or intended to be occupied as the home or residence of one family and shall include *apartments*, row houses, *townhouses*, *triplexes*, fourplexes, and terraced housing;

"FOURPLEX" means a detached *dwelling* consisting of four *dwelling units* each of which are occupied or intended to be occupied as a permanent home or residence for one family;

"GASOLINE SERVICE STATION" means any *building* or *land* used or intended to be used for the retail sale of motor fuels and lubricants, which may include the minor repairing of motor vehicles and the sale of automobile accessories, but specifically excludes vehicle sales, body work and painting;

"GEODETIC DATUM" means the average level of the Pacific Ocean measured along the BC Coast. The measurements are taken over many tides and many seasons and the agreed sea level equals datum zero. All *land* elevations are measured above (or below) this point;

"HEIGHT" means the vertical distance from the average finished ground level at the perimeter of the *building structure* to the highest point of the roof surface of a flat roof to the deck line of a mansard roof, and to the ridge of a gable, hip, or dormer or other pitched roof, and in the case of a *structure* without a roof, to the highest point of the *structure*;

"HIGHWAY" means a street, *road*, *lane*, pathway, sidewalk, bridge, or any other public way;

"HOME OCCUPATION" means a customary *accessory use* of a gainful nature carried on within a *dwelling unit* or accessory *structure* by the person or persons residing therein;

"HOTEL" means a *building* in which there are *sleeping units* for transient *lodgers*, with or without a public dining area or cafe;

"LAND" means the ground, soil or earth on, above or below the surface, and includes the surface of water;

"LANDSCAPING" means the planting of lawns, shrubs and trees and the addition of fencing, walks, lights, ponds, pools, or other *structures* and materials as used in *landscape architecture*;

"LANE" means a public way or minor street affording only secondary means of access to a *lot*, at the side or rear;

"LOT or RECORD LOT" means a *parcel*, block, or other area of *land* that has been registered as such in the Land Title Office or developed pursuant to the Condominium Act;

"LOT AREA" means the total horizontal area within the *lot* lines of a *lot*;

"LOT, CORNER" means a *lot* at the intersection or junction of two or more *highways*;

"LOT DEPTH" means the mean horizontal distance between the front and rear *lot* lines. For non-rectangular *lots* it shall be the average distance between the *front lot line* and the rear *lot* line;

"LOT, INTERIOR" means a *lot* other than a *Corner lot*;

"LOT LINE, FRONT" means the *lot* line common to the *lot* and an abutting *highway*, where there is only one such common *lot* line; where the front and rear boundaries of a *lot* each abut on a *road*, *Front lot line* means the *lot* line common to the *lot* and the *road* towards which the majority of the adjacent *buildings* are faced; and where a *lot* is situated at the junction or intersection of *roads*, *Front lot line* means the shorter of the lines in common to the *lot* and a *road*;

"LOT, THROUGH" means a *lot* abutting two approximately parallel *Streets*;

"MOBILE HOME" means a *dwelling unit* especially designed to be moved along the *highway* from time to time, and which arrives at the site where it is to be occupied complete and ready for occupancy except for placing on foundation and supports, and connection of utilities;

"MOBILE HOME PARK" means any *parcel* of *land* upon which two or more *mobile homes* occupied for *dwelling* purposes, are located, including all *buildings*, *structures* or accessories used or intended to be used as equipment for such *Mobile home park*; but

shall not include vehicle sales, or other *lands* on which *mobile homes* are manufactured or placed solely for the purposes of storage or inspection and sale;

"MOBILE HOME SPACE" means an area of *land* within a *mobile home park* for the installation of one *mobile home* with permissible additions;

"MOTEL" means a *building* or *buildings* containing *sleeping units* primarily for the *temporary* accommodation of the travelling public where each *sleeping units* contains its own or a shared bathroom with a water closet, wash basin and bath or shower and may or may not include its own cooking facilities. *Motel* may include, without limiting the generality the foregoing, an office with a public register, *restaurant* and meeting rooms;

"MUNICIPAL SEWER SYSTEM" means a sewage collection and/or disposal system that is owned and operated by the *Municipality* and/or Regional District that has been approved under the Waste Management Act and the Public Health Act;

"MUNIICPAL WATER SYSTEM" means a system of waterworks which serves two or more *parcels* and which is owned, operated and maintained by the *Municipality*, or an Improvement District under the Water Act or Municipal Act, all of which is regulated under the Water Utilities Act;

"MUNICIPALITY" means the *Village* of Port Clements or the area within the municipal boundaries as the context requires;

"NATURAL BOUNDARY" means the visible high water mark of any lake, river, stream, or other body of water where the presence of action of the water is so common and usual, and so long continued in all ordinary years, as to mark upon the soil of the bed of the lake, river, stream or other body of water, a character distinct from that of the banks thereof in respect to vegetation as well as in respect to the nature of the soil itself;

"PANHANDLE" means a narrow strip of *land* which as an integral part of a *parcel* provides *frontage* to a *highway*;

"PARCEL" means a *lot*, block or other area in which *land* is held or into which *land* is subdivided, but does not include a *highway*;

"PARCEL COVERAGE" means the percentage of *site area* of a *parcel* that is to be covered by *buildings* and *structures*;

"PARKING AREA or PARKING LOT" means an open area of *land*, other than a street, used for the parking of vehicles of clients, customers, employees, members, residents or tenants;

"PARKING GARAGE" means a *building* the *primary use* of which is the parking or storage of vehicles and which is available to the public or as an accommodation to clients, customers or employees;

"PARKING SPACE" means a space for the parking of vehicles, exclusive of ramps, columns and driveways;

"PRIMARY USE" means the main purpose for which *land, buildings or structures* is used;

"PRINCIPAL BUILDING" means the *building or structure* in which the *primary use* for which the *land, building* is zoned is carried out;

"RETAIL STORE" means a retail sales outlet contained under one roof having a gross floor area not exceeding 2,000 m<sup>2</sup>, and providing for the retail sale and display of goods; but specifically excludes industrial uses and *gasoline service stations*;

"RESTAURANT" means a public eating place with or without a liquor licence;

"ROAD" means all *Municipal* public rights of way designed for vehicular movement and access within the *Village*;

"ROOF LINE" means the line delineated by the intersection of the plane of the outside face of the exterior wall of the *building* and the plane of the roof of the *building* except that in the case of a pitched roof with projecting eaves the *roof line* shall be at the eaves level, and where the *building* has a continuous roof parapet or mansard the *roof line* shall be the line of the top of the parapet or mansard;

"ROOF SIGN" means a *sign* erected upon or above a roof or parapet of a *building*, or a *sign* affixed to a *building* and extending above the *roof line* of the *building*, but shall not include a projecting *sign*;

"SCREENING" means a continuous fence, wall, compact evergreen hedge or combination thereof, that would effectively screen the property which it encloses, and is broken only by access drives and walks;

"SEASONAL OR TEMPORARY" means a *campground*, recreational vehicle park, or fishing lodge which is not intended for permanent year-round occupancy;

"SECONDARY SUITE" means a self-contained living unit within a Single Family *Dwelling*

"SETBACK" means the required minimum distance between a *building or structure* of use and each of the respective *lot* lines;

"SHOPPING CENTRE" means a group of *retail stores* in one or more *buildings* designed as an integrated unit, and located on a single *parcel*;

"SIGN" includes billboards, signboard, advertisements or advertising devices;

"SITE AREA" means the area required to carry on a particular use;

"SLEEPING UNIT" means one or more habitable rooms used for the *lodging* of a person or persons when such unit contains no cooking facilities;

"STORAGE YARD" means an area outside of an enclosed *building* where materials and equipment are stored, baled, piled, handled, sold or distributed. A *storage yard* shall not be construed to include an automobile wrecking yard, a sales yard, or a junk yard;

"STOREY" means that portion of a *building* which is situated between the top of any floor and the top of the next floor above it, and if there is no floor above it that portion between the top of such floor and the ceiling above it;

"STRUCTURE" means anything with a vertical projection of at least one metre above the ground; but shall not include fences and freestanding walls that are less than the maximum permitted *height* for their respective zones;

"TEMPORARY STORAGE" means not permanent and does not exceed a period of six (6) months;

"TOURIST TRAILER PARK" means a *parcel* of *land* which has been planned and improved for the placement of transient travel trailers and other transient recreation vehicles for transient use;

"TOWNHOUSE" means a block of at least three *dwelling units* located on a single *parcel*, each *dwelling unit* shall have a direct ground oriented entrance, shall be attached to its neighbour at its side and each *dwelling unit* being separated from each other by a party wall;

"TRAVEL TRAILER" means any vehicle or conveyance, designed to travel on the *highway* and equipped to be used as *temporary* living by travellers;

"TRIPLEX" means a detached *dwelling* consisting of three *dwelling units* each of which are occupied or intended to be occupied as a permanent home or residence for one family;

"USE" means the purpose for which any *lot parcel*, tract of *land*, *building* or *structure* or part thereof is designed, arranged or intended, or for which it is occupied or maintained;

"USEABLE LOT AREA, USEABLE OPEN SPACE" means the area of a *lot* taken in a horizontal *plane* between the *lot* boundaries excluding *land* in excess of 50% slope and natural bodies of water comprising in excess of 10% of the total *lot area*;

"VILLAGE" means the *Village* of Port Clements;

"VILLAGE CLERK" means the Clerk/Administrator or Chief Administrative Officer (CAO) of the *Village* of Port Clements;

"WATERCOURSE" is any natural or man-made depression with well-defined banks and a bed zero point six (0.6) metres or more below the surrounding *land*, serving to give direction to a current of water at least six months of the year or having a drainage area of two square kilometres or more upstream of the point of consideration;

"YARD, FRONT" means that portion of the *lot* extending from one side *lot* line to the other, between the front line of the *lot* and a line drawn parallel thereto. The depth of such yard shall mean the perpendicular distance between the front line of the *lot* and the parallel line. In the case of a *through lot* there shall be two such *front yards*;

"YARD, REAR" means that portion of the *lot* extending from one side *lot* line to the other, between the rear line of the *lot* and a line drawn parallel thereto. The depth of such yard means the perpendicular distance between the rear line of the *lot* and the parallel line;

"YARD, SIDE" means that portion of the *lot* extending from the *front yard* to the *rear yard*, between the side line of the *lot* and a line drawn parallel thereto. The width of such yard shall mean the perpendicular distance between the side line of the *lot* and the parallel line;

## PART 2 ADMINISTRATION

### 2.1. COMPLIANCE

- (1) Subject to the provisions of the Local Government Act, as may be amended from time to time, respecting nonconforming uses development variance permits, *temporary* use permits, development permits, and board of variance decisions, no person shall erect, construct, locate, alter, reconstruct or maintain any *building*, or locate or carry on any industrial, business, trade or calling or use any *land* or *building* or *structure* or surface of water or air space contrary to the provisions of this Bylaw.

### 2.2. NON-CONFORMING USE

- (1) The provisions of the Local Government Act, as may be amended from time to time, apply to non-conforming uses.

### 2.3. ENFORCEMENT

- (1) Violation
  - a) It is unlawful for any person to cause, suffer, or permit any *building* or *structure* to be constructed, reconstructed, *altered*, moved, extended, occupied, or used or any *land* to be occupied or used in contravention of this Bylaw or otherwise to contravene or fail to comply with this Bylaw.
  - b) It is unlawful for any person to prevent or obstruct, or attempt to prevent or obstruct, the authorized entry of the *building* inspector or other appointed employee, authorized under this Section of this Bylaw.

### 2.4. PENALTY

- (1) Any person who violates the provision of this Bylaw is liable on summary conviction to a penalty not exceeding one thousand (\$1,000.00) dollars and not less than five hundred (\$500.00) dollars, and also the cost of prosecution.
- (2) Each day during which such violation is continued shall be deemed to constitute a new and separate offence.
- (3) Upon conviction, the magistrate may direct that no prosecution under subsection (2) may be made with respect to the continuance of the violation, for such a period as he directs.

### 2.5. SEVERABILITY

- (1) If any section, subsection, sentence, clause, or phrase of this Bylaw is for any reason held to be invalid by the decision of any Court, such decision shall not affect the validity of the remaining portions of this Bylaw.



## 2.6. OTHER REGULATIONS

- (1) Nothing contained in the regulation this Bylaw shall relieve the owner or developer of any *land* from any responsibility to seek out and comply with all the legislation or regulations applicable to his undertaking.

## **PART 3 AMENDMENT PROCEDURES**

### **3.1. REZONING APPLICATIONS**

- (1) In addition to the requirements of the Local Government Act, as may be amended from time to time, the following requirements for amendment to this Bylaw shall apply:
  - a) Rezoning applications and fees shall be completed on the form and the amount as set out in "The *Village* of Port Clements Development, Variance & Temporary Use Bylaw, Form and Application Fee Bylaw No. 399, 2013".
  - b) Where an application for amendment to this Bylaw has been refused by *Council* after public hearing no reapplication for the same amendment shall be considered within six (6) months of the date of refusal.

### **3.2. BOARD OF VARIANCE**

- (1) There is a Board of Variance established for the *Village* of Port Clements under the Local Government Act, as may be amended from time to time, and appeal shall be to the Board of Variance.
- (2) The jurisdiction and powers of the Board of Variance are set out under Local Government Act, as may be amended from time to time.
- (3) The procedure and notice of appeal may be made under the regulations set out in "The *Village* of Port Clements Board of Variance Jurisdiction and Procedure Bylaw No. 186, 1990".

### **3.3. DEVELOPMENT VARIANCE PERMITS**

- (1) Pursuant to the Local Government Act, as may be amended from time to time, *Council* may by resolution issue a Development Variance Permit that may vary the provisions of this Bylaw and other Bylaws.
- (2) A Development Variance Permit shall not vary:
  - a) the *density of land* from that specified in the Bylaw; and
  - b) a flood plain specification under the Local Government Act, as may be amended from time to time.
- (3) The provisions of a Development Variance Permit shall prevail over any provision of this bylaw in the event of conflict.
- (4) Jurisdiction, application procedure and fees shall be as set out in "The *Village* of Port Clements Permit Form Procedures and Application Fee Bylaw No. 399, 2013".

## PART 4 GENERAL PROVISIONS

### 4.1. APPLICATION

- (1) The regulations contained in Sections 4.2. to 4.2.9 of this Bylaw shall apply to all zones.

### 4.2. FLOOD DAMAGE PROTECTION

- (1) It is best practice that no *building* or any part thereof, except small *outbuildings* such as garden sheds, be constructed, reconstructed, moved or extended nor shall any *mobile home* unit, modular home or *structure* be located:
  - a) within 30 metres of the *natural boundary* of the sea, a lake, swamp or pond;
  - b) within 30 metres of the *natural boundary* of Kumdis Bay and Kumdis Creek; and
  - c) with the underside of the floor system of any area used for habitation, business or storage of goods damageable by floodwaters, or in the case of *mobile home* or unit the ground level on which it is located, lower than 1.5 m above the *natural boundary* of the sea, nor lower than elevation 4.8 metres Hydrographic Chart Datum whichever elevation is higher.
- (2) Clause 4.2 (1 .c) shall not apply to:
  - a) a renovation of an existing *building* or *structure* used as a residence that does not involve an addition thereto; or an addition to a *building* or *structure* for residential use that would increase the size of the *building* or *structure* by less than 25 percent of the floor area existing;
  - b) that portion of a *building* or *structure* to be used as a carport or garage; and
  - c) farm *buildings* other than *dwelling units* and closed-sided livestock housing. Farm *dwelling units* on *parcel* sizes 8.1. hectares or greater and within the Agricultural Land Reserve are exempted from the requirements of Clause 4.2. (l) c) but if in a floodable area shall be elevated one (1) metre above the natural ground elevation; closed-sided livestock housing shall be elevated one (1) metre above the natural ground elevation.
- (3) The required elevation may be achieved by structural elevation of the said habitable, business, or storage area by adequately compacted landfill on which any *building* is to be constructed or *mobile home* unit located, or by a combination of both structural elevation and landfill.
- (4) No area below the required elevation shall be used for the installation of furnaces or equipment susceptible to damage by floodwater.

#### 4.3. RIPARIAN AREA SETBACKS

- (1) Notwithstanding any and all *setback* standards for all zones, the best practice for a *setback* for any *building* or *structure* from a stream or lake is 30 metres or as mandated by the appropriate Federal or Provincial Ministry, subject to an assessment by a qualified professional.

#### 4.4. FENCES

- (1) No fence at a property line shall exceed 2.0 metres in *height* except for public safety and except where it is designated otherwise in each zone.

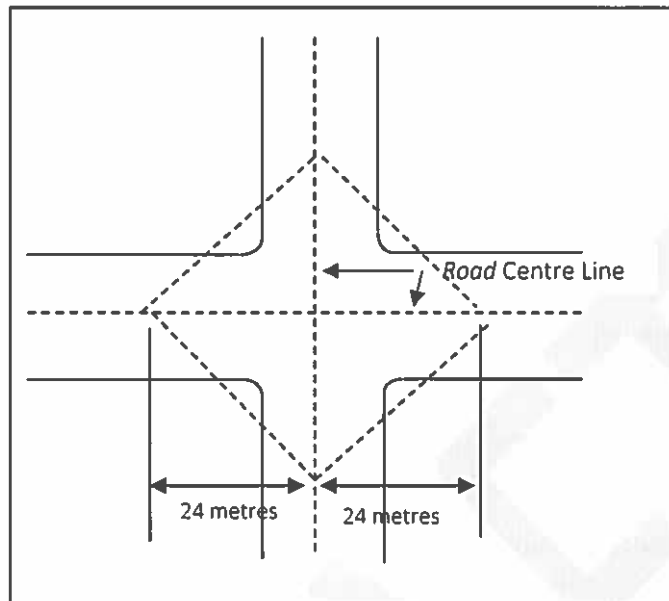
#### 4.5. SCREENING AND LANDSCAPING

- (1) Pursuant to the Local Government Act *Council* may require and regulate the provision of *screening* or *landscaping* to mask or separate different uses. *Screening* or *landscaping* shall be provided as follows:
  - a) waste disposal containers and other outdoor storage in the C-1, C-2, M-1, R-1, R-2, RM-1, MH-1, and MH-2 Zones shall be suitably screened by a tight board fence or solid wall or solid hedge at least as high as the containers or stored material to a maximum *height* of 2.0 metres.
- (2) Where an Industrial use abuts any commercial or residential use, the Industrial use shall provide a solid wall tight board fence or solid landscape screen which provides a complete visual screen not less than 2.0 metres in *height* around the abutting *lot* lines.
- (3) In the Light Industrial (I-1) zone all outdoor storage shall be enclosed by a wall fence or *screening* which provides a complete permanent visual screen not less than 2.0 metres in *height*.

#### 4.6. VISIBILITY

- (1) On a *corner lot* in any zone there shall be no obstruction to the line of vision by *buildings* or *structures* between the *height* of 1.0 metres and 3.0 metres above the established grade of streets within an area bounded by the centre lines of intersecting or intercepting streets and a line joining a point on each of the centre lines 24.0 metres from their intersection as illustrated below:

#### SIGHT TRIANGLE



#### 4.7. STORAGE OF VEHICLES

- (1) In the R-1, R-2 RM-1, MH-1 and MH-2 zones, storage or parking ancillary to a residential use on the same *lot* of not more than:
  - a) four vehicles not exceeding 4,500 kilograms gross vehicle weight; and
  - b) one house trailer or one camper; and
  - c) one pleasure boat kept for other than gain or sale is permitted.
- (2) No site, except as otherwise provided in this Bylaw, shall be used for the wrecking or storage of derelict vehicles or equipment or materials or as a junkyard and any vehicle which has not been licensed for a period of one year and not housed in a garage or carport shall be deemed to be a derelict vehicle or junk.

#### 4.8. USES PERMITTED IN ALL ZONES

- (1) The following are permitted in all zones:
  - a) public parks and playgrounds, golf courses;
  - b) day care centres;
  - c) public utilities and unless permitted in the zone in which the use is situated there may be no exterior storage and no garage for repair and maintenance of equipment;

- d) *single family* home used for a Community Care Facility as defined by the Community Care and Assisted Living Act, as may be amended from time to time, and
- e) Church.

#### 4.9. MINIMUM PARCEL FRONTAGE

- (1) Where a *parcel* is being created by subdivision the minimum *frontage* on the *Highway* shall be the greater of:
  - a) one tenth (1/10) of the perimeter of the *lot* that fronts on the *highway*, or
  - b) the minimum *parcel frontage* as set down in each zone.
- (2) The *Council* may exempt a person from the minimum *parcel frontage* provided for in 4.9 (1) (a) and (b) above.

#### 4.10. CIRCUMSTANCES WHERE MINIMUM LOT SIZES DO NOT APPLY

- (1) The minimum requirements of *site area* and *parcel* size for subdivision shall not apply:
  - a) where the *parcel* being created is to be used solely for the unattended equipment necessary for the operation of:
    - i) a community water system;
    - ii) a community sewer system;
    - iii) a community gas distribution system;
    - iv) a community radio or television receiving antenna;
    - v) a radio or television broadcasting antenna;
    - vi) a telecommunication relay station;
    - vii) an automatic telephone exchange;
    - viii) an air or marine navigational aid;
    - ix) electrical substations or generating stations;
    - x) any other similar public service or quasi-public service facility or utility; or
  - b) where no sewage is generated; and
  - c) where the owner agrees in writing to registering a condition or covenant pursuant to the Land Title Act in favour of the *Municipality* at the time the subdivision is registered and such condition shall be satisfactory to the Approving Officer and shall restrict or prohibit the construction of *buildings* or *structures* on, and (or) the use of any *parcel*.

#### 4.11. PANHANDLE LOT

- (1) Where a *parcel* is a *panhandle lot*, the area of the access strip or *panhandle* shall not be included as part of the *parcel* size for subdivision or minimum *site area* purposes.

#### 4.12. EXISTING LOTS

- (1) The *lot area* and *lot frontage* requirements of this Bylaw shall not apply to any *lot* in any zone which has an area or *frontage* less than that required by this Bylaw, if such a *lot* was described in the official records on file in the Land Title Office on or before the effective date of this Bylaw.

#### 4.13. PRINCIPAL BUILDINGS AND THEIR SITING

- (1) No *principal building* shall be located in any required yard or *setback*.
- (2) Except as otherwise provided in this Bylaw, not more than one *principal building* shall be located on any *lot*.

#### 4.14. ACCESSORY USES, BUILDINGS AND STRUCTURES AND THEIR SITING

- (1) *Accessory uses buildings* and *structures* which serve the needs of the primary permitted uses are located on the same *lot* and which are customarily incidental and subordinate to the *primary use* are permitted in all zones.
- (2) No *accessory building* shall be located in any required *front yard* or *side yard*, except where a zone specifically permits it.

#### 4.15. HOME OCCUPATIONS

- (1) A professional practice or *home occupation*, as defined in Part 1 of this Bylaw, is permitted in all zones, subject to the following requirements:
  - a) No external indication exists that the *building* is utilized for any purpose other than the *dwelling* except for a single wall mounted *sign* not exceeding .75 m<sup>2</sup>.
  - b) Such occupation shall not involve the use of mechanical equipment save as it is ordinarily employed in purely private domestic and household use or for recreational hobbies and does not create a nuisance by reason of sight, sound or smell.
  - c) Such occupation or business shall not require parking or loading area in excess of what is normally required for the residential use and zone in which the residence is located.

#### **4.16. HEIGHT OF BUILDINGS AND STRUCTURES**

- (1) The following shall not be subject to the *height* requirements of this Bylaw; church spires, belfrys, domes, transmission towers, chimneys, flagpoles, masts, aerials, water tanks, elevators and ventilation machinery, penthouses, provided that such *structure* occupies no more than 20% of the *lot*, or if situated on a *building*, not more than 10%, of the roof area of the *building*.

#### **4.17. MEASUREMENTS**

- (1) All dimensions and other measurements in this Bylaw are expressed in the Standard International Units (metric) system.

### **PART 5 SIGN AND NOTICE REGULATIONS**

- (1) Subject to all other provisions of this Bylaw no *signs* or notices shall hereafter be erected or maintained except those permitted by and in conformity with the regulations of this Part 5.

#### **5.1. PURPOSE**

- (1) The purposes of this Part:
  - a) to protect *signs* and lights erected for the direction of traffic from the effects of conflicting commercial and other *signs*;
  - b) to protect the appearance and preserve the amenity of the various zones which may be adversely affected by *signs* of inappropriate size, *design* or location; and
  - c) to prevent the confusion which may arise from the undue conflict of commercial and other *signs* with one another.

#### **5.2. SIGN PROJECTION**

- (1) No *sign*, notice or part thereof shall project over a *highway* right-of-way or public property.

#### **5.3. ROOF SIGNS**

- (1) No *roof signs* shall be permitted.

#### **5.4. ILLUMINATION**

- (1) No flashing *signs* shall be permitted.
- (2) No *temporary sign* shall be illuminated.



- (3) No *sign* permitted by this Bylaw shall, by reason of its location, colour or intensity, create a hazard to the safe, efficient movement of vehicular or pedestrian traffic.

#### 5.5. SIGN HEIGHT

- (1) No *sign* or notice shall exceed an overall *height* of 4.0 metres.
- (2) No *sign* or notice shall project above the *roof line* to which it is attached.
- (3) No free-standing *sign* shall exceed the *height* of the *principal building* on the *lot*.

#### 5.6. PERMITTED SIGNS

- (1) Subject to the Motor Vehicle Act and the Highways Act, the following *signs* are permitted in all zones under this Bylaw conditional on the limitations set forth below:
  - a) public *building*, community activity or political *signs*;
  - b) traffic control *signs* as defined in the Motor Vehicle Act;
  - c) *signs* required to be maintained or posted by law or governmental order, rule or regulation;
  - d) *signs* indicating a hazard;
  - e) flags or emblems of political, civic, philanthropic, educational or religious organizations;
  - f) directional *signs* (on-site);
  - g) *signs* not visible off the *lot* upon which they are situated;
  - h) on any *lot* on which a residential use *building* is permitted *signs* regarding *home occupations*, trespassing, safety or identification not exceeding .75 metres in area;
  - i) *temporary* political *signs* promoting any candidate, party or cause which may be displayed for 30 days prior to an election or referendum, provided that such *signs* are removed within 7 days following said election or referendum;
  - j) *temporary* *signs* pertaining to campaigns, drives or events of political, civic philanthropic, education, or religious organizations;
  - k) *temporary* *signs* advertising the sale, lease or rental of the *lot* or premises upon which such *signs* are situated provided that the total area of such *signs* shall not exceed 0.75 metres square in area per *lot*; and
  - l) *temporary* *signs* indicating the name and nature of a construction or demolition project, plus the names of the contractors, subcontractors and professional advisors provided that the total area of such *signs* shall not exceed 5.5 m<sup>2</sup> in total area.
- (2) Within Multi-Family (RM-1) and Mobile Home Park (MH-2) Zones it is permitted to have a single *sign* denoting the name and address of a *building* or development but the *sign* is not to exceed 2.0 metres for any site. Such a *sign* may be illuminated or unilluminated.

- (3) Within Core Commercial (C-1), Commercial Service (C-2) Zones it is permitted to have *sign* or *signs* not exceeding 5.0 metres in total on any site.
- (4) Within Marine Commercial (M-1), Marine Industrial (M-2), Light Industrial (I-1), and Heavy Industrial (I-2) Zones it is permitted to have a *sign* or *signs* not exceeding 8.0 metres in total on any site.
- (5) Within a Public Use and Park (P) Zone it is permitted to have:
  - a) one school, church, or hospital *signboard* not exceeding 1.5 m<sup>2</sup> in area on any site;
  - b) one *sign* for an arena, stadium, curling rink or recreation centre not exceeding 5.0 m<sup>2</sup>; and  
for parks and playgrounds and all other purposes a single unilluminated *sign* not exceeding 1.0 m<sup>2</sup>.

#### 5.7. LIMITED ADVERTISING SIGNS

- (1) Limited advertising *signs* are intended to allow the businesses on each *record lot* changeable advertising to promote special events, sales, goods or services sold or manufactured on that *record lot*.
- (2) Limited advertising *signs* promoting special events, goods or services sold or manufactured are subject to the following requirements or regulations:
  - a) they shall have a maximum area of 3 square metres.
  - b) they shall not exceed a maximum overall *height* of 2.0 metres,
  - c) they shall be located on the *lot* so the *sign* does not obstruct vehicular or pedestrian visibility.
  - d) each *lot* may have one limited advertising *sign*.
  - e) limited advertising *signs* may be placed on a *lot* for a duration not exceeding 3 months and not more than two times during a calendar year.
  - f) limited advertising *signs* shall not be placed on the *lot* in a manner which will reduce the number of *parking spaces* below the number required by this Bylaw or interfere with maneuvering aisles.
  - g) limited advertising *signs* shall not violate any provisions of this Bylaw with respect to Section 5.1, 5.2, 5.3, 5.4, and 5.6.

## PART 6 OFF-STREET PARKING AND OFF-STREET LOADING

### A. OFF-STREET PARKING

#### 6.1. EXISTING BUILDINGS STRUCTURES AND USES

- (1) The regulation of off-street parking contained in this Part shall not apply to *buildings structures* or uses existing on the effective date of this Bylaw in any zone except that:
  - a) off-street parking shall be provided and maintained in accordance with this Part for any addition to such existing *building or structure*; and
  - b) off-street parking existing on the effective date of this Bylaw shall not be reduced below the applicable off-street parking requirements of this Part.

#### 6.2. VOLUNTARY ESTABLISHMENT OF PARKING FACILITIES

- (1) Where off-street parking facilities are provided when not required the location *design* and operation of such facilities shall comply with all the regulations of this part.

#### 6.3. UNITS OF MEASUREMENT

- (1) In determining the amount of off-street parking required:
  - a) where gross floor area is used as a unit of measurement for the calculation of required *parking spaces*, it shall include the floor area of *accessory buildings* and basements, except where they are used for parking, heating or storage;
  - b) where number of employees is used as a unit of measurement it shall mean the greatest number of persons at work at any time of the day or night in a particular *building* or for a particular use during any season of the year;
  - c) where seating accommodation is used as a unit of measurement and such accommodation consists of benches pews, booths and the like, each 0.2 metre of width of such seating accommodation shall be counted as one seat; and
  - d) when the calculation of parking requirements results in a fractional *parking space*, one *parking space* shall be provided to meet this fractional requirement.

#### 6.4. REQUIRED OFF-STREET PARKING SPACES

- (1) off-street vehicular parking or garage spaces shall be provided in accordance with the standards in this section. In the case of a use not specifically mentioned, the required off-street *parking spaces* shall be the same as for a similar use; and
- (2) the required off-street *parking spaces* shall be in accordance with the following schedule:

USE	PARKING REQUIREMENTS
<i>Apartments</i>	1 per unit
Auto Sales and Repair, Recreation vehicle sales	1 per 100 m <sup>2</sup> sales floor area plus 1 service bay
Bank Financial Institution	1 per 45 m <sup>2</sup> gross floor area
<i>Bed and Breakfast</i>	1 per unit plus 1 space
Boat Sales and Repair	1 per 95 m <sup>2</sup> display area (incl. outside)
<i>Boarding House</i>	1 per unit
<i>Building Materials Supply</i>	1 per 150 m <sup>2</sup> gross floor area
<i>Campground</i>	1 per camp space plus 2 spaces
Gas Station, Tire Repair	2 per Service bay and 1 per 30 m <sup>2</sup> retail floor space
Grocery, <i>Convenience store</i>	1 per 30 m <sup>2</sup> retail floor space provided there are a minimum of 4 spaces
<i>Hotel</i>	1 per unit and 1 per 3 seats in <i>restaurant</i> and bar
Church	1 per 10 seats
Cultural	1 per 35 m <sup>2</sup> gross floor area
Firehall	1 per 100 m <sup>2</sup> gross floor area
Hospital	1 per 80 m <sup>2</sup> gross floor area
Industrial	1 per 140 m <sup>2</sup> gross floor area
Police	1 per 100 m <sup>2</sup> gross floor area
School, Elementary	1 per 150 m <sup>2</sup> gross floor area
School, Secondary	1 per 75 m <sup>2</sup> gross floor area
<i>Motel</i>	1 per unit and 1 per 3 seats in <i>restaurant</i>

USE	PARKING REQUIREMENTS
Machinery Sales	1 per 90 m <sup>2</sup> sale floor area
<i>Mobile home park</i>	2 <i>parking spaces</i> per unit, plus visitor parking to be provided at the rate of 1 <i>parking space</i> per every 4 <i>mobile home</i> units
Marina	1 per 2 berths
Offices -Business	1 per 45 m <sup>2</sup> gross leasable area
- Professional, governmental	1 per 45 m <sup>2</sup> gross floor area
- Medical and Clinics	5 per 45 m <sup>2</sup> gross floor area
Residential, Single and <i>Two-family</i>	2 per <i>dwelling unit</i>
<i>Retail stores</i>	1 per 45 m <sup>2</sup> gross floor area
Secondary suite	1 per secondary suite
Stores, Personal Service	1 per 45 m <sup>2</sup> gross floor area
<i>Shopping centre</i>	1 per 13.5 m <sup>2</sup> leasable area
Theatre, Indoor	1 per 4 seats
Warehouse	1 per 100 m <sup>2</sup> gross floor area
<i>Restaurants</i> Licensed Public	1 per 4 seats

## 6.5. USE OF PARKING FACILITIES

- (1) All required off-street *parking spaces* shall be used only for the purpose of accommodating the vehicles of clients, customers, visitors, patients, employees, members, residents or tenants who make use of the *principal building* or use for which the *parking area* is provided and such *parking area* shall not be used for access, or egress, commercial repair work display, sale or storage of goods of any

Parking Angle (in degrees)	Width of Aisle (in metres)
90	7
60	5.3
45 and less	3.95

kind.

- (2) Except in the case of *dwelling*s located in residential zones and *hotels* and *motels*, off-street *parking spaces* may be provided and used collectively by two or more *buildings* or uses provided that the total number of *parking spaces* when used together is not less than the sum of the requirements for the various individual uses and that such parking facilities shall be located not more than 125 metres from any *building* or use to be served.

#### 6.6. LOCATION AND SITING OF PARKING FACILITIES

- (1) All required off-street parking shall be provided within 125 metres of the site, except for residential uses in the R-1, R-2, RM-1, MH-2 zones and *hotel* and *motels* uses, where the off-street parking shall be wholly provided on the same *lot* as the *building* required to be served.
- (2) No part of any *parking area* shall be located closer than 4 metres to any *multiple family dwelling* unless the *parking area* is included within the principle *building*.

#### 6.7. REQUIRED BICYCLE PARKING FACILITIES

- (1) All Multi-Family Residential, Office, Retail, *Restaurant*, Medical Clinics, and Civic Facilities uses shall provide bicycle parking in accordance with Table B-3.

**Table B-3 Required Bicycle Parking**

Use	Class 2 Bicycle Facility
Multi-family Residential	One 6 space rack at entrance
Office	1 space per 400 m <sup>2</sup> GFA
Retail and <i>Restaurant</i>	1 per 250 m <sup>2</sup> GFA: Minimum 4 spaces

Medical Clinics	1 per 500 m <sup>2</sup>
Civic facilities such as Town Hall, Library, Community Centre	Minimum one 6 space rack at entrance

## 6.8. DEVELOPMENT AND MAINTENANCE STANDARDS

- (1) The location of all points of ingress and egress to a *parking area* shall be subject to the approval of *Council* under the provisions of the Local Government Act, as may be amended from time to time.
- (2) Every required off-street *parking space* shall be a minimum of 18.5 m<sup>2</sup> in area.
- (3) All off-street *parking spaces* shall have a clear length of not less than 5.5 metres a clear width of not less than 2.75 metres and a clear *height* of not less than 2.2 metres. When a *parking space* adjoins a fence or *structure* over 0.25 metres in *height* the width of the *parking space* shall be increased by 0.25 metres on the side or sides which abut such fence or *structure* to enable the opening of vehicular doors.
- (4) Adequate provision shall be made for individual ingress or egress by vehicles to all *parking spaces* at all times by means of unobstructed maneuvering aisles.
- (5) All *parking areas* shall be provided with adequate curbs in order to retain all vehicles within such permitted *parking area* and to ensure that required fences, walls, hedges or *landscaped areas* as well as any *buildings* will be protected from parked vehicles.
- (6) All *parking areas* for 3 or more vehicles shall have a surface that is durable and shall be so graded and drained as to properly dispose of all surface water.
- (7) All *parking areas* shall have individual *parking spaces*, maneuvering aisles, entrances, and exits clearly marked.
- (8) Any lighting used to illuminate any *parking area* or *parking garage* shall be so arranged that all direct rays of light are reflected upon such *parking area*, and not on any adjoining premises.

## B. OFF-STREET LOADING

### 6.9. EXISTING BUILDINGS, STRUCTURES AND USES

- (1) The regulation of off-street loading contained in this Part shall not apply to *buildings*, *structures* or uses existing on the effective date of this Bylaw, except that:
  - a) off-street loading shall be provided and maintained in accordance with this Part where there is a change in the principal use, or where the total floor area is increased in excess of 10 percent over the existing floor area; and

- b) off-street loading existing on the effective date of this Bylaw shall not be reduced below the applicable off-street loading requirements of this Part.

#### 6.10. UNITS OF MEASUREMENT

- (1) When calculating off-street loading requirements, the gross floor area shall include the floor area of necessary *buildings* or basements, except where they are used for parking or heating.

#### 6.11. MIXED OCCUPANCIES

- (1) In the case of mixed uses, the total requirements for off-street loading facilities shall be the sum of the requirements for the various uses computed separately.

#### 6.12. REQUIRED OFF-STREET LOADING SPACES

- (1) Every owner of *land* which is the site of a *structure* or yard involved in the receipt or delivery of goods or materials by vehicles shall, on the *lot* in question, provide and maintain one off-street loading space for:
  - a) every 250.0 m<sup>2</sup> of floor space, or fraction thereof of *structures* involved in the receipt or delivery of goods or materials by vehicles; and
  - b) every 250.0 m<sup>2</sup> or fraction thereof, of yard involved in the receipt or delivery of goods or materials by vehicles.

#### 6.13. LOCATION AND SITING OF LOADING FACILITIES

- (1) Off-street loading spaces and facilities shall be located on the same lot as the use served, but not closer than 8 metres to the nearest point of intersection of any two street allowances.



#### 6.14. DEVELOPMENT AND MAINTENANCE STANDARDS

- (1) The location of all points of ingress and egress to a loading area shall be subject to the approval of *Council* under the provisions of the Local Government Act, as may be amended from time to time.
- (2) All off street loading and unloading spaces shall be of adequate size, and with adequate access thereto to accommodate the types of vehicles which will be loading and unloading but in no case shall be insufficient to accommodate a vehicle 9 metres in length, 2.5 metres in width and 4 metres in *height*.
- (3) All loading areas shall be provided with adequate curbs in order to retain all vehicles within such permitted loading areas, and to ensure that required fences, walls, hedges, or *landscaped* areas, as well as any *buildings*, will be protected from maneuvering vehicles.
- (4) Each loading space shall have a surface that is durable and shall be so graded and drained as to properly dispose of all surface water.
- (5) Any lighting used to illuminate any loading area shall be so arranged that all direct rays of light are reflected upon the loading area and not on any adjoining premises.

## PART 7 ZONE REQUIREMENTS

### 7.1. ZONE DESIGNATIONS

- (1) For the purpose of this Bylaw, the whole of the area within the boundary of the *Municipality* is hereby divided into the following zones and their short-title abbreviations:

Zone	Short-Title
1. Residential Urban	R-1
2. Rural Residential	R-2
3. Multiple-Family Residential	RM-1
4. <i>Mobile home park</i>	MH-2
5. Commercial Core	C-1
6. Commercial Service	C-2
7. Marine Commercial	M-1
8. Marine Industrial	M-2
9. Marine Industrial	M-2A
10. Marine Tourist	M-3
11. Light Industrial	I-1
11. Heavy Industrial	I-2
12. Public Use and Park	P
13. Resource Areas	RS

### 7.2. BOUNDARIES OF ZONES

- (1) The extent of each zone is shown in "Schedule B Zoning Map" and signed by the Mayor and the *Village Clerk*, which is attached to and forms part of this Bylaw hereinafter referred to as the "Zoning Map".
- (2) When the zone boundary is *designated* as following a *road* allowance or Creek, the centre line of such *road* allowance or creek shall be the zone boundary.
- (3) Where a zone boundary does not follow a legally defined line, and where the distances are not specifically indicated, location of the boundary shall be determined by scaling from the Zoning Map.

### 7.3. ZONE DISTRICTS

#### 7.3.1. RESIDENTIAL, URBAN ZONE (R-1)

##### A. INTENT

- (1) This zone is intended for one and *two-family dwellings* on urban lots.

##### B. PERMITTED USES

- (2) In the Residential Urban Zone (R-1) *land and structures* may only be used for the following uses and densities:
  - a) *Accessory buildings and structures*;
  - b) One bed and breakfast establishment;
  - c) One boarding house;
  - d) One *two-family dwelling* or duplex;
  - e) One secondary suite; and
  - f) Two *single family dwellings* subject to minimum *lot* size and maximum *lot* coverage.

##### C. SITE AREA AND PARCEL, SIZE FOR SUBDIVISION

- (1) In the Residential Urban Zone (R-1) a *lot* created under this bylaw shall have:
  - a) at least 370 square metres for a single-family *dwelling*;
  - b) at least 558 square metres for two single-family *dwellings*, two-family *dwelling*, *duplex*, and *boarding house*; and
  - c) a minimum *frontage* of at least 12.0 metres

##### D. SITE COVERAGE

- (1) In the Residential Urban Zone (R-1) the maximum site coverage, including *buildings*, *structures* and *accessory buildings* shall not exceed 50 percent of the *site area*.

##### E. MINIMUM SETBACKS

- (1) In the Residential Urban Zone (R-1) the following *setbacks* apply to
  - a) *Principal buildings*:
    - i) the minimum front *setback* shall be 6.0 metres;
    - ii) the minimum rear *setback* shall be 6.0 metres; and
    - iii) the minimum side *setback* shall be 1.5 metres, provided that where the side *setback* flanks a street, the side *setback* shall be increased to not less than 3.0 metres.

- b) *Accessory buildings and Structures*:

The minimum front *setback* shall be 12.0 metres;

- iv) the minimum side *setback* shall be 1.5 metres, provided that such *setback* shall be 6.0 metres, if the *setback* flanks a street; and
- v) the minimum rear *setback* shall be 1.5 metres.

F. **BUILDING HEIGHT**

- (1) In the Residential Urban Zone (R-1) the maximum *height* of:
  - a) *Principal buildings* shall not exceed two *stories* to a maximum of 9.0 metres;
  - b) *Accessory buildings* shall not exceed 3.5 metres.

G. **MINIMUM FLOOR AREA**

- (1) In the Residential Urban Zone (R-1) the total floor area of all accessory buildings shall not exceed 10 percent of the lot area.

H. **SECONDARY SUITE STANDARDS**

- (1) Secondary suites shall not exceed a *Gross Floor Area* of 90 square metres or 40 percent of the *Gross Floor Area* of the *Single-Family-Dwelling*, whichever is less, and shall have a separate entry.

7.3.2. **RURAL RESIDENTIAL, ZONE (R-2)**

A. **INTENT**

- (1) This zone is intended for one and *two-family dwellings* on larger urban *lots*.

B. **PERMITTED USES**

- (1) In the Rural Residential Zone (R-2) *land* and *structures* may only be used for the following uses and densities:
  - a) *accessory buildings* and *structures*;
  - b) agricultural and horticultural use;
  - c) animal Hospitals and Kennels;
  - d) *bed and breakfast* establishment;
  - e) forestry and logging;
  - f) one *two-family dwelling* or *duplex*;
  - g) One *boarding* house;
  - h) one secondary suite;
  - i) two *single family dwelling units*; and
  - j) sale of produce grown on site provided that the sales area does not exceed 46.5 m<sup>2</sup> and is not located within 5.0 metres of any property line;

C. SITE AREA AND PARCEL, SIZE FOR SUBDIVISION

- (1) In the Rural Residential Zone (R-2) a *lot* created under this Bylaw shall have:
  - a) The minimum size of *lots* created by subdivision under this Bylaw shall be 5,000 square metres
  - b) The minimum *frontage* of *lots* created by Subdivision under this Bylaw shall be 50.0 metres.

D. SITE COVERAGE

- (1) In the Rural Residential Zone (R-2) the maximum site coverage including *buildings*, *structures* and *accessory building* shall not exceed 33 percent of the *site area*.

E. MINIMUM SETBACKS

- (1) In the Rural Residential Zone (R-2) the following *setbacks* apply to:
  - a) *Principal buildings*:
    - i) the minimum front *setback* shall be 7.5 metres;
    - ii) The minimum rear *setback* shall be 7.5 metres; and
    - iii) The minimum side *setback* shall be 3.0 metres.
  - b) *Accessory buildings and Structures*:
    - iv) *accessory buildings and structures* shall not be permitted in any front or side *setback*; and
    - v) the minimum rear *setback* shall be 1.5 metres.

F. BUILDING HEIGHT

- (1) In the Rural Residential Zone (R-2) the maximum *height* of:
  - a) *principal buildings* shall not exceed two *stories* to a maximum of 9.0 metres; and
  - b) *accessory building* shall not exceed 7.5 metres.

G. SECONDARY SUITE STANDARDS

- (1) Secondary suites shall not exceed a Gross Floor Area of 90 square metres or 40 percent of the Gross Floor Area of the Single-family-Dwelling, whichever is less
- (2) Shall have a separate entry.

### 7.3.3. MULTIPLE FAMILY RESIDENTIAL, ZONE (RM-1)

#### A. INTENT

- (1) This zone is intended to accommodate and regulate the development of low-rise *multiple family* housing.

#### B. PERMITTED USES

- (2) In the *Multiple Family Residential Zone (RM-1)* *land and structures* may only be used for the following uses and densities:
  - a) one and two-family dwellings triplex or fourplex;
  - b) apartments;
  - c) townhouses rowhouses; and
  - d) accessory buildings and structures.

#### C. DENSITY

- (1) In the *Multiple Family Residential Zone (RM-1)* the maximum *density* permitted shall be 40 units per hectare (16 units per acre).

#### D. MINIMUM SITE AREA

- (1) In the *Multiple Family Residential Zone (RM-1)* the minimum site area for a:
  - a) townhouse shall be 150 m<sup>2</sup>;
  - b) one family dwelling shall be 270 m<sup>2</sup>;
  - c) two-family dwelling shall be 558 m<sup>2</sup>;
  - d) triplex or fourplex shall be 1,116 m<sup>2</sup>; and
  - e) for apartment buildings and townhouses shall be 2,232 m<sup>2</sup>.

#### E. MINIMUM SITE AREA AND PARCEL, SIZE FOR SUBDIVISION

- (1) In the *Multiple Family Residential Zone (RM-1)*:
  - a) The minimum area of *lots* created by Subdivision under this bylaw shall be 558 square metres; and
  - b) The minimum *frontage* of *lot* created by subdivision under this bylaw shall be 15.0 metres

#### F. SITE COVERAGE

- (1) In the *Multiple Family Residential Zone (RM-1)* the maximum site coverage including all *buildings, structures* and *accessory buildings* shall not exceed 40 percent of the *site area*.

#### G. MINIMUM SETBACKS

- (1) In the *Multiple Family Residential Zone (RM-1)* the following *setbacks* apply to:

- a) *Principal buildings:*
  - i) the minimum front *setback* shall be 7.5 metres;
  - ii) the minimum rear *setback* shall be 7.5 metres; and
  - iii) the minimum side *setback* shall be 3.5 metres.

(2) *Accessory buildings and Structures:*

- a) shall not be located in any front *setback*; and
- b) shall be located 3.5 metres from any rear or side *lot* line.

H. BUILDING HEIGHT

(1) In the *Multiple Family Residential Zone (RM-1)* the maximum *height* of:

- a) *Principal building:*
  - i) for *two-family dwellings, triplexes, fourplexes, and townhouses*, the *height* of any *principal building* shall not exceed two *stories* or 9.0 metres; and
  - ii) for *apartments*, the *height* of any *principal building* shall not exceed three *stories* or 12.0 metres.
- b) *Accessory buildings:*
  - i) the *height* of any *accessory building* shall not exceed 4.0 metres.

I. MINIMUM FLOOR AREA

- (1) In the *Multiple Family Residential Zone (RM-1)* the minimum floor area of all *accessory buildings* shall not exceed 10 percent of the *lot area* except where the *building* serves as a *parking structure* in which case the floor area of all *accessory buildings* may be increased not to exceed 20 percent of the *lot area*.

7.3.4. MOBILE HOME PARK ZONE (MH-2)

A. INTENT

- (1) This zone is intended to accommodate and regulate the development of *Mobile home parks*.

B. PERMITTED USES

- (1) In the *Mobile home park Zone (MH-2)* *land and structures* may only be used for the following uses:
- a) *mobile home park*;
  - b) *one bed and breakfast* establishment;
  - c) *one boarding house*;

- d) one *Single family Dwelling*, according to requirements under R-1 Residential Urban Zone (R-1); and
- e) *tourist trailer park and Campground*.

#### C. CONDITIONS OF USE

- (1) In the *Mobile home park Zone (MH-2)*:
  - a) no more than 25% of a *Mobile home park Zone (MH-2)* site shall be used for tourist accommodation and such tourist accommodation shall be an incidental use to the *Mobile home park*.
  - b) *mobile home park, Tourist trailer park and Campground Development* shall comply with the standards and provisions of the *Mobile home park, Tourist trailer park and Campground Regulation Bylaw No. 196.*; and
  - c) the minimum *site area* for each *mobile home space* shall be 150 square metres.

#### D. SITE AREA AND PARCEL, SIZE FOR SUBDIVISION

- (1) In the *Mobile home park Zone (MH-2)*:
  - a) the minimum size of a *lot* created by subdivision under this bylaw shall be 4,000 square metres;
  - b) the minimum *frontage* of a *lot* created by subdivision under this bylaw shall be one tenth (1/10) of the perimeter of the *lot* that fronts on the *highway*;
  - c) the minimum area required for a *Mobile home park Tourist trailer park or Campground* is 4,000 square metres.

#### E. BUILDING HEIGHT

- (1) In the *Mobile home park Zone (MH-2)* the maximum *height* of any *building or structure* shall be 7.5 metres.

### 7.3.5. COMMERCIAL CORE ZONE (C-1)

#### A. INTENT

- (1) This zone is intended to accommodate and regulate the development of small scale retail commercial and personal Service facilities.

#### B. PERMITTED USES

- (1) In the Commercial Core Zone (C-1) *land and structures* may only be used for the following purposes:
  - a) *accessory buildings and structures*;
  - b) banks and financial institutions;
  - c) business and professional offices;



- d) combined commercial and residential complexes;
- e) community halls, libraries, art galleries, theatres and other cultural *buildings*, but excluding drive-in theatres;
- f) government offices;
- g) health and fitness clubs, excluding rifle ranges;  
*Hotels and Motels*;
- h) licensed premises;
- i) medical and Dental clinics;
- j) *Bed and breakfast* establishment;
- k) *Boarding* house;
- l) *Single family dwelling*, according to requirements under R-1 Residential Urban Zone (R-1);
- m) personal service establishments (i.e. barbers, beauty salons shoe repair, travel agent, dry cleaner, laundry, photo studios);
- n) printing and publishing;
- o) public transit depot;
- p) public utility *buildings* and *structures* necessary for public service, excluding storage repair and manufacturing facilities;
- q) *restaurants*, cafes, bistros excluding drive-in *restaurants*;
- r) shops and retail shops provided that there shall be no outside storage or display areas and no sale or service of automobiles;
- s) undertaking parlours and funeral homes; and
- t) Veterinary hospital.

#### C. CONDITIONS OF USE

- (1) In the Commercial Core Zone (C-1) the following conditions apply to combined commercial and residential Complexes:
  - a) the residential use shall be contained in the *principal building*;
  - b) the residential use shall be located in the upper floors or behind the commercial use;
  - c) the residential use shall have a separate private entrance leading directly to the street;
  - d) each *dwelling unit* shall have a minimum floor area of 55.0 m<sup>2</sup>; and
  - e) outdoor recreational space equal to 5.5 m<sup>2</sup> for each *dwelling unit* shall be provided.

#### D. DENSITY

- (1) In the Commercial Core Zone (C-1) the maximum *density* including commercial residential and *accessory uses* shall not exceed a *Floor Area Ratio* of one to one.

E. MINIMUM. SITE AREA

(1) In the Commercial Core Zone (C-1):

- a) the minimum *site area* for *Hotels* and *Motels* shall be 1,115 square metres; and
- b) the minimum *site area* for combined commercial and residential complexes shall be 368 square metres.

F. SITE AREA AND PARCEL, SIZE FOR SUBDIVISION

(1) In the Commercial Core Zone (C-1):

- a) the minimum size of a *lot* created by subdivision under this Bylaw shall be 225 square metres; and.
- b) the minimum *frontage* of a *lot* created by subdivision under this Bylaw shall be one tenth (1/10) of the perimeter of the *lot* that fronts on the *highway*.

G. SITE COVERAGE

- (1) In the Commercial Core Zone (C-1) the maximum site coverage including all *buildings, structures* and *accessory buildings* may be 100 percent.
- (2) Uses which require outdoor recreation space may include this space in the site coverage calculation.

H. MINIMUM SETBACKS

(1) In the Commercial Core Zone (C-1):

- a) the minimum rear *setback* shall be 3.0 metres where there is a *lane*;
- b) the rear *setback* shall be 3.0 metres from the centre of the *lane*; and
- c) the minimum side *setback* shall be 3.0 metres only where the abutting property is zoned for residential uses.

I. BUILDING HEIGHT

(1) In the Commercial Core Zone (C-1):

- a) The maximum *height* of any *principal building* shall not exceed three *stories* or 12.0 metres; and
- b) The maximum *height* of any *accessory building* shall not exceed 3.5 metres.

J. MINIMUM FLOOR AREA

- (1) In the Commercial Core Zone (C-1) the minimum floor area for each use shall be 55 square metres.

### 7.3.6. COMMERCIAL SERVICE ZONE (C-2)

#### A. INTENT

- (1) This zone is intended to accommodate and regulate the development of retail commercial and personal Service facilities including automotive uses.

#### B. PERMITTED USES

- (1) In the Commercial Service Zone (C-2) *land and structures* may only be used for the following uses:
  - a) *accessory buildings and structures*;
  - b) combined commercial and residential complexes;
  - c) contractor's offices provided that there shall be no outside storage of materials or equipment;
  - d) *convenience stores*;
  - e) *gasoline service stations*;
  - f) general automotive repair services;
  - g) *motels*;
  - h) *neighbourhood shopping centre*;
  - i) *bed and breakfast* establishment;
  - j) *boarding house*;
  - k) *Single family Dwelling*, according to requirements under R-1 Residential Urban Zone (R-1);
  - l) personal service establishments (i.e. barbers, beauty salons, shoe repair, travel agent, dry cleaner, laundry, photo studio);
  - m) printing and publishing;
  - n) *restaurants*;
  - o) retail sales of *building supplies*;
  - p) retail sales of garden supplies, nursery items, and greenhouses;
  - q) sale, rental or lease of motor vehicles; and
  - r) Undertaking parlor or funeral home.

#### C. CONDITIONS OF USE

- (1) In the Commercial Service Zone (C-2) the following conditions apply to combined commercial and residential complexes:
  - a) the residential use shall be contained in the *principal building*;
  - b) the residential use shall be located in the upper floors or behind the commercial use;

- c) the residential use shall have a separate, private entrance leading directly to the street;
- d) each *dwelling unit* shall have a minimum floor area of 55.0 square metres;
- e) outdoor recreational space equal to 5.5 square metres for each *dwelling unit* shall be provided.

#### D. DENSITY

- (1) In the Commercial Service Zone (C-2) the maximum *density* shall not exceed a *Floor Area Ratio* of one.

#### E. MINIMUM SITE AREA

- (1) In the Commercial Service Zone (C-2) the minimum *site area* shall be 558 m<sup>2</sup>.

#### F. SITE AREA AND PARCEL, SIZE FOR SUBDIVISION

- (1) In the Commercial Service Zone (C-2):
  - a) The minimum size of a *lot* created by subdivision under this bylaw shall be 558 m<sup>2</sup>; and
  - b) the minimum *frontage* of a *lot* created by subdivision under this bylaw shall be one tenth (1/10 of the perimeter of the *lot* that fronts on the *highway*.

#### G. SITE COVERAGE

- (1) In the Commercial Service Zone (C-2) the maximum site coverage including *buildings, structures* and *accessory buildings* shall not exceed 60 percent of the site.
- (2) Uses which require outdoor recreational space may include this space in the site coverage calculation.

#### H. MINIMUM SETBACKS

- (1) In the Commercial Service Zone (C-2):
  - a) the minimum front *setback* shall be 7.5 metres;
  - b) the minimum rear *setback* shall be 6.0 metres; and
  - c) the minimum side *setback* shall be 3.0 metres except where the abutting property is zoned for residential uses in which case the side *setback* shall be 6.0 metres.

#### I. BUILDING HEIGHT

- (1) In the Commercial Service Zone (C-2):
  - a) the maximum *height* of any *principal building* shall not exceed 9.0 metres; and
  - b) the maximum *height* of any *accessory building* or *structure* shall not exceed 3.6 metres.

J. MINIMUM FLOOR-AREA

- (1) In the Commercial Service Zone (C-2) the minimum floor area for each use shall be 55.0 square metres.

7.3.7. MARINE COMMERCIAL ZONE (M-1)

A. INTENT

- (1) This zone is intended to accommodate and regulate the development of Marinas including commercial uses to service boaters.

B. PERMITTED USES

- (1) In the Marine Commercial Zone (M-1) *land and structures* may only be used for the following uses:
- a) *accessory buildings and structures.*
  - b) *combined commercial residential complexes;*
  - c) *hotels and motels;*
  - d) *licensed public houses;*
  - e) *marinas, including marine service stations;*
  - f) *marine freight and salvage;*
  - g) *bed and breakfast establishment;*
  - h) *boarding house;*
  - i) *Single Family Residence as an accessory use, according to R-1 requirements;*
  - j) *retail stores;*
  - k) *restaurants, excluding drive-ins; and*
  - l) *wharfage, anchorage, dry-docking launching ramps and similar facilities in connection with harbouring and servicing marine craft, including float planes.*

C. CONDITIONS OF USE

- (1) In the Marine Commercial Zone (M-1) the following conditions apply to combined commercial and residential complexes:
- a) *the residential use shall be contained in the principal building;*
  - b) *the residential use shall be located in the upper floors or behind the commercial use;*
  - c) *the residential use shall have a separate, private entrance leading directly to the street; and*
  - d) *outdoor recreational space equal to 5.5 square metres for each dwelling unit shall be provided.*

D. DENSITY

- (1) In the Marine Commercial Zone (M-1) the maximum density shall not exceed a floor area ratio of 0.5.

E. MINIMUM SITE AREA

- (1) In the Marine Commercial Zone (M-1):
  - a) the minimum *site area* for *retail stores*, licensed public houses and *restaurants* shall be 368 square metres;
  - b) the minimum *site area* for *hotel* and *motel* uses shall be 1,115 m<sup>2</sup>; and
  - c) the minimum *site area* for all other uses shall be 500 square metres.

F. SITE AREA AND PARCEL SIZE FOR SUBDIVISION

- (1) In the Marine Commercial Zone. (M-1):
  - a) the minimum *lot* size of a *parcel* created by subdivision under this bylaw shall be 368 square metres; and
  - b) the *frontage* of a *parcel* created by subdivision under this bylaw shall be one tenth (1/10) of the perimeter of the *lot* that fronts on the *highway*.

G. SITE COVERAGE

- (1) In the Marine Commercial Zone (M-1) the maximum site coverage, including all *buildings*, *structures* and *parking areas* shall not exceed 80 percent of the *site area*.

H. MINIMUM SETBACKS

- (1) In the Marine Commercial Zone (M-1):
  - a) the minimum side *setback* shall be 3.0 metres where the abutting property is zoned for residential use; and
  - b) the minimum rear *setback* shall be 3.0 metres where the *natural boundary* of the sea is the rear *lot* line, the provision of Section 4.2 of this Bylaw shall apply for all *buildings* and *structures* except those *structures* required for construction of wharves, floats, launching ramps and dry docks, which are exempt from this rear *setback*.

I. BUILDING HEIGHT

- (1) In the Marine Commercial Zone (M-1):
  - a) the maximum *height* of any *principal building* shall not exceed 9.0 metres; and
  - b) the maximum *height* of any *accessory building* or *structure* shall not exceed 3.5 metres.

### 7.3.8. MARINE INDUSTRIAL ZONE (M-2)

#### A. INTENT

- (1) This zone is intended to accommodate and regulate the development of marine and foreshore activities of an industrial nature.

#### B. PERMITTED USES

- (1) In the Marine Industrial Zone (M-2) *land and structures* may only be used for the following uses:
  - a) *accessory buildings and structures*;
  - b) *boat building*, marine ways and boat repairs;
  - c) caretaker or management staff accommodation;
  - d) food processing;
  - e) fuel installations including bulk fuel storage, marine and aircraft fueling;
  - f) industrial port facilities, including barge loading, roll-on-roll off truck facilities, storage and warehousing facilities;
  - g) log booming, dumping, *dry-land* sorting and de-watering facilities;
  - h) sawmill, shake mill, lumber processing and other wood industries requiring water access;
  - i) *single family dwelling as an accessory use; and*
  - j) Wharves, launching ramps, anchoring dry-docking and similar facilities in connection with harbouring and servicing marine craft, including float planes;

#### C. CONDITION OF USE

- (1) In the Marine Industrial Zone (M-2) one *single family dwelling unit* is permitted providing:
  - a) the *dwelling unit* is *setback* 7.5 metres from the industrial use;
  - b) the *dwelling unit* shall have a separate entrance from the outside; and
  - c) the *dwelling unit* shall have a minimum floor area of 55.0 square metres.

#### D. MINIMUM SITE AREA

- (1) In the Marine Industrial zone (M-2) the minimum *site area* shall be 1,000 m<sup>2</sup>.

#### E. SITE AREA AND PARCEL, SIZE FOR SUBDIVISION

- (1) In the Marine Industrial Zone (M-2):
  - a) the minimum size of a *lot* created by subdivision under this Bylaw shall be 1,000 square metres, and
  - b) the minimum *frontage* of a *lot* created by subdivision under this Bylaw shall be one tenth (1/10) of the perimeter of the *lot* that fronts on the *highway*.

F. SITE COVERAGE

- (1) In the Marine Industrial Zone (M-2) the maximum site coverage, including all *buildings structures* and *parking areas*, shall not exceed 80 percent of the *site area*.

G. MINIMUM SETBACKS

- (1) In the Marine Industrial Zone (M-2):
- a) the minimum front *setback* shall be 6.0 metres;
  - b) the minimum rear and side *setback*, shall be 6. 0 metres where the abutting property is zoned for residential use; and
  - c) where the *natural boundary* of the sea is the rear or side *lot* line the provisions of Section 4.2 Flood Damage Protection shall apply to all *buildings* except those *structures* required for construction of wharves floats, launching ramps and marine ways, which are exempt from this *setback*.

H. BUILDING HEIGHT

- (1) In the Marine Industrial Zone (M-2) the maximum *height* of any *building* or *structure* shall not exceed 12.0 metres.

7.3.8.A. Marine Industrial Zone (M-2-A)

A. INTENT

- (1) This zone is intended to accommodate and regulate the development of marine and foreshore activities of an industrial nature.

B. PERMITTED USES

- (1) In the Marine Industrial Zone (M-2-A) *land* and *structures* may only be used for the following uses:
- a) accessory *buildings* and *structures*;
  - b) boat *building*, marine ways and boat repairs;
  - c) dry-land log sorting;
  - d) fuel installations including bulk fuel storage, marine and aircraft fueling;
  - e) food processing;
  - f) industrial port facilities, including barge loading, roll-on-roll-off truck facilities, storage and warehousing facilities;
  - g) limited staff accommodation;
  - h) sawmill, shake mill, lumber processing and other wood industries requiring water access;
  - i) *single family dwelling*; and



- j) wharves, launching ramps, anchoring, dry-docking and similar facilities in connection with harbouring and servicing marine craft, including floatplanes.

#### C. CONDITION OF USE

- (1) In the Marine Industrial Zone (M-2-A) one *single family dwelling unit* is permitted providing:
  - a) the dwelling unit is *setback* 7.5 metres from the industrial use;
  - b) the *dwelling unit* shall have a separate entrance from the outside; and
  - c) the *dwelling unit* shall have a minimum floor area of 55.0 m<sup>2</sup>.

#### D. MINIMUM SITE AREA

- (1) In the Marine Industrial Zone (M-2-A) the minimum *site area* shall be 1,000 m<sup>2</sup>.

#### E. SITE AREA AND PARCEL SIZE FOR SUBDIVISION

- (1) In the Marine Industrial Zone (M-2-A):
  - a) the minimum size of a *lot* created by subdivision under this Bylaw shall be 1,000 m<sup>2</sup> and
  - b) the minimum *frontage* of a *lot* created by subdivision under this Bylaw shall be one tenth (1/10) of the perimeter of the *lot* that fronts on the *highway*.

#### F. SITE COVERAGE

- (1) In the Marine Industrial Zone (M-2-A) the maximum site coverage, including all *buildings, structures and parking areas*, shall not exceed 80 percent of the *site area*.

#### G. MINIMUM SETBACKS

- (1) In the Marine Industrial Zone (M-2-A):
  - a) the minimum front *setback* shall be 6.0 metres;
  - b) the minimum rear and side *setback* shall be 6.0 metres where the abutting property is zoned for residential use; and
  - c) where the *natural boundary* of the sea is the rear or side *lot* line, the provisions of Section 4.2 Flood Damage Protection shall apply to all *buildings*, except those *structures* required for construction of wharves, floats, launching ramps and marine ways, which are exempt from this *setback*.

#### H. BUILDING HEIGHT

- (1) In the Marine Industrial Zone (M-2-A) the maximum *height* of any *building or structure* shall not exceed 18.0 metres.

I. SCREENING REQUIREMENTS

- (1) In the Marine Industrial Zone (M-2-A) in addition to the *screening* requirements in Section 4.4 Fences, the following *screening* and *landscaping* requirements will be provided as follows:
  - a) *screening* requirements along the *natural boundary* of the sea shall be a 10.0 metre buffer containing natural vegetation and a berm containing natural vegetation on the upland side of the buffer not less than 2.5 metres in elevation above the buffer; and
  - b) these *screening* and *landscaping* requirements apply along the *natural boundary* of the sea except for that portion containing an inland berth.

J. RESTRICTIONS

- (1) Watering and dewatering of wood are prohibited in this zone.

7.3.9. MARINE TOURISM ZONE (M-3)

A. INTENT

- (1) This zone is intended to accommodate and regulate the development of marine uses and recreational activities associated with coastal locations.

B. PERMITTED USES:

- (1) In the Marine Tourism Zone (M- 3) *land* and *structures* may be used for the following purposes:
  - a) boating boat rentals, boat charters and boat leasing;
  - b) fishing lodge;
  - c) float plane docks and helicopters;
  - d) marinas, boat launching, and boat storage;
  - e) marine gas barge;
  - f) private recreation facilities;
  - g) *restaurant*;
  - h) *bed and breakfast* establishment;
  - i) *boarding* house;
  - j) one *single family dwelling* provided such accommodation is for a caretaker and his family and is necessary for the protection of the business or industry;
  - k) one *single family dwelling unit* for the owners or manager of the fishing lodge;
  - l) *temporary* storage of fish camp and logging camp equipment; and
  - m) wilderness retreat.
- (2) The following *accessory uses* and no others are permitted, provided that:

- a) the *accessory use* is located on the same *lot* as the *primary use*; and
- b) the *accessory use* is incidental and subordinate to the *primary use*:
  - i) one single family dwelling provided such accommodation is for a caretaker and his family and is necessary for the protection of the business or industry;
  - ii) one single family dwelling unit for the owners or manager of the fishing lodge; and
  - iii) marine gas barge.

#### C. MINIMUM SITE AREA

- (1) In the Marine Tourism Zone (M-3):
  - a) for sites with community water and sewer services, the minimum *site area* shall be 930 square metres;
  - b) for sites with community water services but no community sewer service, the minimum *site area* shall be 1,350 square metres; and
  - c) for sites with no community water and sewer services, the minimum *site area* shall be 2,000 square metres.

#### D. SITE AREA AND PARCEL, SIZE FOR SUBDIVISION

- (1) In the Marine Tourism Zone (M-3): the minimum size of *lot* created by subdivision under this bylaw is 2,000 square metres, provided:
  - a) where community water service is available, the minimum *parcel* size shall not be less than 1,350 m<sup>2</sup>;
  - b) where community water and sewer services are available, the minimum *parcel* shall not be less than 930 m<sup>2</sup>; and
  - c) the minimum *frontage* of a *lot* created by subdivision under this shall be one tenth (1/10) of the perimeter of the *lot* that fronts on the *highway*.

#### E. SITE COVERAGE

- (1) In the Marine Tourism Zone (M-3): the maximum site coverage, including *building*, *structures*, storage, and outdoor operation areas shall not exceed 80 percent of the *site area*.

#### F. MINIMUM SETBACKS

- (1) In the Marine Tourism Zone (M-3):
  - a) the minimum front *setback* is 7.5 metres; and
  - b) the minimum side *setback* shall be 4.0 metres.

G. BUILDING HEIGHT

- (1) In the Marine Tourism Zone (M-3): the maximum *height* of any *building* or *structure* shall not exceed 12.0 metres.

7.3.10. LIGHT INDUSTRIAL ZONE (I-1)

A. INTENT

- (1) This zone is intended to accommodate and regulate the development of light industrial activities and commercial uses where such commercial uses are an integral part of the industrial operation.

B. PERMITTED USES

- (1) In the Light Industrial Zone (I-1) *land* and *structures* may only be used for the following uses:
- a) automobile and recreation vehicle sales services and body shops excluding auto wreckers and junk yards;
  - b) *building* supply and lumber yards;
  - c) public utilities *buildings, garages, storage yards, repair facilities*;
  - d) industrial and agricultural equipment sales, rentals and *storage yards*;
  - e) light manufacturing and assembly, including food processing, machine shops, woodworking shops;
  - f) warehousing, moving and wholesale establishments;
  - g) contractor offices, shops and yards;
  - h) fuel storage and wholesale distribution;
  - i) gasoline services stations;
  - j) printing and other reproduction processes;
  - k) mobile and prefabricated home manufacturing, display and sales;
  - l) *restaurants*;
  - m) transportation depots and facilities including airports;
  - n) veterinary hospital and kennel;
  - o) *single family dwelling as an accessory use*;
  - p) *accessory buildings and structures*.

C. CONDITIONS OF USE

- (1) In the Light Industrial Zone (I-1):
- a) all industrial activity and storage not contained within a *building* shall be enclosed by a wall or solid board fence not less than 2.0 metres in *height*; and

- b) no use shall be permitted which will become an annoyance or nuisance to surrounding *lands* by reason of unsightliness odor, emission, liquid effluents, dust, noise, fumes or smoke; and
  - c) uses considered offensive under the Public Health Act are strictly prohibited.
- (2) One *single family dwelling* is permitted provided that:
- a) the *dwelling unit* is *setback* 7.5 metres from the Industrial uses; and
  - b) the *dwelling unit* shall have a separate entrance from the outside.

#### D. MINIMUM SITE AREA

- (1) In the Light Industrial Zone (I-1) the minimum *site area*:
- a) for sites with municipal water and sewer services, the minimum *site area* shall be 930 square metres;
  - b) for sites with municipal water services but no community sewer service the minimum *site area* shall be 1,350 square metres;
  - c) for sites with no municipal water and sewer services, the minimum *site area* shall be 2,000 square metres; and
  - d) minimum *site areas* are subject to health regulations and inspections.

#### E. SITE AREA AND PARCEL SIZE FOR SUBDIVISION

- (1) In the Light Industrial Zone (I-1) the minimum size of a *lot* created by subdivision under this bylaw is 10,000 square metres provided:
- a) where Municipal water service is available, the minimum *parcel* size shall not be less than 2,000 square metres;
  - b) where the community water and sewer services are available, the minimum *parcel* size shall not be less than 930 square metres; and
  - c) The minimum *frontage* of a *lot* created by subdivision under this Bylaw shall be one tenth (1/10) of the perimeter of the *lot* that fronts on the *highway*.

#### F. SITE COVERAGE

- (1) In the Light Industrial Zone (I-1) the maximum site coverage including all *buildings* and *structures*, shall not exceed 75 percent of the *site area*.

#### G. MINIMUM SETBACKS

- (1) In the Light Industrial Zone (I-1):
- a) the minimum front *setback* shall be 7.5 metres; and
  - b) the minimum rear and side *setback* shall be 5.0 metres provided, however, where the abutting property is zoned for residential use the minimum *setback* shall be 7.5 metres.

## H. BUILDING HEIGHT

- (1) In the Light Industrial Zone (I-1) the maximum *height* of any *building* or *structure* shall not exceed 12.0 metres.

### 7.3.11. HEAVY INDUSTRIAL, ZONE (I-2)

#### A. INTENT

- (1) This zone is intended to accommodate and regulate the development of those industries which may have a *significant* impact on other *land* uses.

#### B. PERMITTED USES

- (1) In the Heavy Industrial Zone (I-2) *land* and *structures* may only be used for the following uses:
  - a) all uses permitted in the Light Industrial (I-1) zone;
  - b) all manufacturing, processing and assembly industries which are not offensive within the meaning of the Health Act, including but not limited to:
    - i) junk yards, auto wreckers;
    - ii) sawmills and shake mills, lumber processing;
    - iii) gravel extraction, storage and processing; and
    - iv) *storage yard*;
  - c) one *single family dwelling* as an *accessory use*; and
  - d) *accessory buildings* and *structures*.

#### C. CONDITION OF USE

- (1) In the Heavy Industrial Zone (I-2):
  - a) where the Heavy Industrial use abuts any zone other than industrial, the Heavy Industrial use shall provide a wall or tight board fence which provides a complete visual screen not less than 2.0 metres in *height*;
  - b) for junk yards or auto wreckers all industrial activity not contained within a *building* shall be enclosed by a wall or tight board fence which provides a complete visual screen not less than 2.0 metres in *height*;
  - c) junk yard material not contained within a *building* shall not be piled higher than the enclosing wall or fence; and
  - d) one *single family dwelling* is permitted provided that:
    - i) the *dwelling unit* is *setback* 7.5 metres from the industrial use; and
    - ii) the *dwelling unit* shall have a separate entrance from the outside.

D. MINIMUM SITE AREA

- (1) In the Heavy Industrial Zone (I-2) the minimum *site area* for all permitted uses (#292, 1999) shall be 2,000 square metres.

E. SITE AREA AND PARCEL SIZE FOR SUBDIVISION

- (1) In the Heavy Industrial Zone (I-2):
  - a) the minimum size of a *lot* created by subdivision under this bylaw is 2,000 square metres; and
  - b) the minimum *frontage* of a *lot* created by subdivision under this bylaw shall be one tenth (1/10) of the perimeter of the *lot* that fronts on the *highway*.

F. SITE COVERAGE

- (1) In the Heavy Industrial Zone (I-2) the maximum site coverage including all *buildings, structures, storage areas and outdoor operations* shall not exceed 80 percent of the *site area*.

G. MINIMUM SETBACKS

- (1) In the Heavy Industrial Zone (I-2):
  - a) no *building or structure*, except a fence or visual screen shall be located in the following *setbacks*;
  - b) the minimum front *setback* shall be 7.5 metres; and
  - c) the minimum rear and side *setbacks* shall be 6.0 metres however, where the abutting property is not zoned for industrial use the minimum rear and side *setbacks* shall be 10.0 metres.

H. BUILDING HEIGHT

- (1) In the Heavy Industrial Zone (I-2) the maximum *height* of any *building or structure* shall not exceed 12.0 metres.

7.3.12. PUBLIC USE AND PARK (P)

A. INTENT

- (1) This zone is intended to accommodate and regulate the location and development of public institutions and facilities to serve the educational, cultural and recreational needs of the community.

B. PERMITTED USES

- (1) In the Public Use and Park Zone (P) *land and structures* may only be used for the following uses:

- a) schools and colleges;
- b) hospitals and related facilities, nursing homes;
- c) parks and playgrounds;
- d) community centres, libraries and public recreation facilities;
- e) halls and auditoriums;
- f) cemeteries;
- g) *campground and Tourist trailer park*;
- h) government offices;
- i) helipads; and
- j) *accessory buildings and structures*.

#### C. SITE AREA AND PARCEL SIZE FOR SUBDIVISION

##### (1) In the Public Use and Park Zone (P):

- a) the minimum size of a *lot* created by subdivision under this bylaw is 368 m<sup>2</sup>; and
- b) the minimum *frontage* of a *lot* created by subdivision under this Bylaw shall be one tenth (1/10) of the perimeter of the *lot* that fronts on the *highway*.

#### D. DENSITY

##### (1) In the Public Use and Park Zone (P):

- a) the maximum site coverage for all *principal buildings and structures* shall not exceed 40 percent of the *site area*; and
- b) the maximum site coverage for all *accessory buildings and structures* shall not exceed 20 percent of the *site area*.

#### E. MINIMUM SETBACKS

##### (1) In the Public Use and Park Zone (P):

- a) the minimum front *setback* shall be 7.5 metres however, for schools and hospitals the front *setback* shall be increased to a minimum 15.0 metres; and
- b) the minimum rear and side *setbacks* shall be 3.0 metres.

#### F. BUILDING HEIGHT

##### (1) In the Public Use and Park Zone (P):

- a) the maximum *height* of any *principal building* shall not exceed 12.0 metres; and
- b) the maximum *height* of any *accessory building or structure* shall not exceed 3.6 metres.



### 7.3.13. RESOURCE AREAS ZONE (RS)

#### A. INTENT

- (1) This zone is intended for outdoor recreation use, the protection of natural areas and agriculture.

#### B. PERMITTED USES

- (1) In the Resource Areas Zone (RS) *land* and *structures* may only be used for the following uses:
- a) two *single family dwellings* or one *two-family dwelling*;
  - b) agricultural uses including field crops, horticulture;
  - c) silviculture, poultry, other stock raising and beekeeping;
  - d) sale of produce grown on the premises provided the sales area does not exceed 46.5 m<sup>2</sup>;
  - e) professional practice or *home occupation*;
  - f) forestry and logging, but no manufacturing except by a small mill for on-site domestic use, provided such operation does not involve outside employees and is not located within 15.0 metres of any property line;
  - g) animal hospital and kennels;
  - h) gravel extraction, storage and processing;
  - i) *tourist trailer park* and *Campground*; and
  - j) *accessory buildings* and *structures*.

#### C. MINIMUM SITE AREA

- (1) In the Resource Areas Zone (RS) the minimum *site area* shall be 40,000 m<sup>2</sup>.

#### D. SITE AREA AND PARCEL, SIZE FOR SUBDIVISION

- (1) In the Resource Areas Zone (RS):
- a) the minimum size of a *lot* created by subdivision under this Bylaw is 40,000 m<sup>2</sup>; and
  - b) the minimum *frontage* of a *lot* created by subdivision under this bylaw shall be one tenth (1/10) of the perimeter of the *lot* that fronts on the *highway*.

#### E. SITE COVERAGE

- (1) In the Resource Areas Zone (RS) the maximum site coverage for all *buildings* and *structures* shall not exceed 10 percent of the *site area*.

#### F. MINIMUM SETBACKS

- (1) In the Resource Areas Zone (RS):
- a) the minimum front *setback* shall be 7.5 metres; and

b) the minimum rear and side *setbacks* shall be 4.5 metres.

G. BUILDING HEIGHT

- (1) In the Resource Areas Zone (RS) the maximum *height* of any *building* or *structure* shall not exceed 12.0 metres.

# Schedule A Zoning Map

# Village of Port Clements

DRAFT BYLAW NO. 455, 2019

A BYLAW to regulate and require the provision of *Works and Services* in respect to *development* and the *subdivision* of land pursuant to the Land Title Act.

**WHEREAS** it is desired to guide *municipal* growth for the ultimate benefit of the community as a whole by ensuring that land is subdivided in an orderly and economical way to produce a safe, sufficient, convenient, and healthful environment and to preserve and enhance its natural amenities;

**AND WHEREAS** it is desired to ensure that the *subdivision* and *development* of land does not create a cost to the *Village* of providing public utilities or other *works and services* that would be a burden on the existing taxpayers;

**AND WHEREAS** the passage of this *Bylaw* has met all of the requirements pursuant to the Land Title Act, Strata Property Act, and the Local Government Act;

**NOW THEREFORE** the *Council* of the *Village* of Port Clements, in open meeting assembled, enacts as follows:

## 1 TITLE

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- 1.1 This *Bylaw* shall be cited as 'The Village of Port Clements Development, Works, Services and Subdivision Bylaw No. 455-2019.'

## 2 DEFINITIONS

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- 2.1 In this *Bylaw*, unless the context otherwise requires, the following words and expressions shall have the following meaning assigned to them:

**APPROVING OFFICER** means the person appointed by the *Council* of the *Village* of Port Clements as the *Approving Officer* in accordance with the Land Title Act as amended from time to time;

**APPLICANT** means a person applying for approval of *Works and Services* related to a *development* and/or the approval of a *subdivision*, whether as an *owner* thereof or his duly authorized agent, or as a purchaser under an Agreement for Sale, or such purchaser's duly authorized agent;

**BOND** means cash or an irrevocable Letter of Credit in favour of the *Village*;

**BUILDING PERMIT** means a *permit* for *Construction* required or issued pursuant to the Building Bylaw;

**CERTIFICATE OF COMPLETION** means a document signed by the Superintendent of Public works certifying that required *Works and Services* have been completed to the satisfaction of the *Village*;

**CONTRACTOR** means a person or firm having a contract with an *owner* or the *Village* of Port Clements to construct *roads* or install *municipal* works or services or any other items required by this *Bylaw*;

**CONSTRUCTION** means the activities of *reconstruction*, installation, erection, repair, alteration, addition, demolition, removal, excavation or shoring with respect to a *building* or *structure*;

**COUNCIL** means the *Council* of the Corporation of the *Village* of Port Clements;

**CUL-DE-SAC** means a *local road* which terminates in an area for the turning of motor vehicles;

**DEVELOPMENT** means any land improvement or *construction* activity that requires a Building Permit for a *Building* or *Structure* in accordance with the Building *Bylaw*;

**FINAL ACCEPTANCE** means the *Village's* acceptance of *Works and Services* provided pursuant to this *Bylaw* at the end of the warranty period with all defects and deficiencies remedied to the satisfaction of the *Superintendent of Public Works*;

**FINAL SUBDIVISION APPROVAL** means that approval granted by the *Approving Officer* when all relevant requirements of this *Bylaw*, the Land Title Act and any other relevant *Bylaws* and legislation have been fulfilled;

**ENGINEER** means an individual holding a valid membership in the professional Engineer Association of British Columbia; or such person or persons authorized by the *Village*;

**FRONTAGE** means that length of a *parcel* or *lot* boundary which immediately adjoins a *road* or *highway*;

**HIGHWAY** means a public street, *road*, trail, *lane*, bridge, trestle, tunnel, ferry landing, ferry approach, any other public way or any other land or improvement that becomes or has become a *highway* in accordance with the Transportation Act as may be amended from time to time; for the purpose of this *Bylaw* the term shall be reserved for Provincial *highway* rights of way;

**LANE** means a *road* more than ten feet but less than thirty feet in width which provides secondary means of access to a site;

**LATECOMER FEES** means the payment by a latecomer developer or subdivider of development related costs that were paid up front by a previous subdivider or developer where roads, water, sewage or drainage works were provided with excess or extended capacity.

**LOT** means an area or land the boundaries of which are shown on a plan registered in a Land Title Office, or with a Crown Land Registry, or are described in the certificate of title of the land, and that has not been divided into smaller areas by a plan or instrument registered in the Land Title Office, or with a Crown Land Registry;

**LOT, PANHANDLE** means a *lot* which requires a relatively narrow strip of land, or *panhandle*, to provide principal vehicle access to a street and where the *lot frontage* on a *highway* is less than 10% of the *lot* perimeter;

**MUNICIPAL SEWER SYSTEM** means the sanitary *sewer system* operated by the *Village*;

**MUNICIPAL WATER SYSTEM** means the *water system* operated by the *Village*;

**OWNER AND REGISTERED OWNER** shall mean any person registered in the books of the Land Title Office or Crown Land Registry Office as *owner* of the land or of any charge on the land being subdivided, whether entitled thereto in his, her, its, or their own right or in a representative capacity or otherwise

**PARCEL** means any *lot*, block or other area in which land is held or into which land is subdivided, including strata *lots* created by strata plan, but does not mean a *highway* or portion thereof.

**PRELIMINARY LAYOUT APPROVAL (PLA)** means a document issued by the *Approving Officer* which sets out terms and conditions for final *subdivision* plans approval;

**PUBLIC UTILITY** means any facilities in a *highway* or in a right-of-way for the purpose of providing a service to property, and may include, but not be limited to, water distribution, sewage and drainage collection, street lighting, electric power distribution, telephone, cable for television and internet, and natural gas distribution systems;

**RIGHT OF WAY** means land or any interest in land acquired for the purpose of:

- (a) public rights of passage with or without vehicles; or
- (b) erecting and maintaining any pole-line; or
- (c) laying, placing and maintaining drains, ditches, pipes, transmission lines or wires for the conveyance, transmission or transportation of water, electric power, forest products, oil or gas or both oil and gas or solids as defined in the Pipeline Act; or
- (d) the transmission or disposal of sanitary sewage, storm water or drainage; or
- (e) the operation and maintenance of any other undertaking of the *Village*; and shall include a statutory right-of-way as defined in the Land Title Act;

**ROAD** means all Municipal public rights of way designed for vehicular movement and access within the *Village*;

**ROAD, ARTERIAL** means the *road* which is designated on any current plan of *roads* or of proposed *roads* which is intended to carry a substantial volume of inter-community traffic as well as traffic other than having its origin or destination in *parcels* abutting thereon; the *Village* currently has no *roads* designated as an *arterial road* except for Provincial Highway 16;

**ROAD, COLLECTOR** means a *road* which is so designated on any current *municipal* plan of *roads* or of proposed *roads*; or a *road* which is designated to form part of the *road* system of the *Village* and carries a substantial volume of traffic other than traffic having its origin or destination in *parcels* abutting on the street, and located to provide efficient inter-connection of major destinations and *local roads*; cross section elements are defined in Schedule A to this *Bylaw*;

**ROAD, LOCAL** means a *road* that serves low traffic volumes and which is so designated on any current plan of streets or of proposed streets, or a street which is used or intended to be used primarily provide access to *parcels* abutting thereon and serves low traffic volumes; cross section elements are defined in Schedule A to this *Bylaw*;

**ROADWAY** means the portion of a *highway* constructed for vehicular traffic;

**SUBDIVISION** means a change in the existing size, shape, number or arrangement of registered *parcels*, whether or not involving the creation of a greater number of *parcels* than existing and whether carried out by plan, by metes and bounds, strata plan, bare land strata plan, or otherwise;

**SUPERINTENDENT OF PUBLIC WORKS** means the Municipal employee or *contractor* assigned to the role of supervising Municipal public works, including, but not limited to *roads*, parks, *water system*, and sanitary *sewer system*;

**VILLAGE** means the *Village* of Port Clements, inclusive of any responsibilities it may assign to employees or to agents acting on its behalf;

**WALKWAY** means a public *right of way* for pedestrian traffic and to accommodate necessary utility and drainage;

**WORKS AND SERVICES** means *construction* such as *roadways*, *lanes*, drainage, water and *sewer systems*, earthworks and slope stabilization, *walkways*, landscaping, street lighting and underground wiring, and includes *works and services* whether on *highways*, rights of way or common property, to be provided for in a *subdivision* or *development* of land under this *Bylaw*;

**WORKS AND SERVICES AGREEMENT** means an agreement prescribed by the *Village* between the *Village* and the *owner* in accordance with the Local Government Act, as may be amended from time to time, that *works and services* will be completed to service a *subdivision* or *development* by a date specified in the agreement and that sufficient security has been provided to the *Village* to secure the *construction* of those works.

### 3 APPLICATION

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- 3.1 The provisions of this *Bylaw* apply to all lands within the area incorporated as the *Village* of Port Clements.
- 3.2 The purpose of this *Bylaw* is to regulate the *subdivision* and *development* of land including the *lot* arrangement, overall layout design and the *construction* of *highways, works and services* in order to promote orderly and efficient *developments* in harmony with the environment and that are suited to the uses for which they are intended.
- 3.3 This *Bylaw* should be used in conjunction with all Schedules to this *Bylaw*, *Village* of Port Clements Zoning *Bylaw*, the *Village* of Port Clements Building *Bylaw*, and the *Village* of Port Clements Official Community Plan *Bylaw*. Users of this *Bylaw* are advised that they should also be knowledgeable of the requirements of other applicable enactments including, without limitation, the:
- 1) Land Title Act;
  - 2) Local Government Act;
  - 3) Community Charter;
  - 4) Strata Property Act and Bare Land Strata Regulations;
  - 5) Agricultural Land Commission Act;
  - 6) Real Estate Act;
  - 7) Land Survey Act;
  - 8) Forest Land Reserve Act;
  - 9) Waste Management Act;
  - 10) Highway Act;
  - 11) Builders Lien Act; and
  - 12) Water Act.
- 3.4 As a condition of the approval of a *subdivision* or the issuance of a Building Permit the *owner* of the land is required to provide *Works and Services* in accordance with the standards established in this *Bylaw*, on that portion of a *highway* immediately adjacent to the site being subdivided or developed, up to the center line of the *highway*.

### 4 INTERPRETATION

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- 4.1 Unless otherwise defined herein, all words or expressions used shall have the same meaning assigned to them as like words or expressions contained in the Land Title Act and the Local Government Act as may be amended from time to time.



## 5 ADMINISTRATION

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- 5.1 The provisions of this *Bylaw* shall be administered by the Chief Administrative Officer (CAO) or such other Officer as may from time to time be appointed by resolution of the *Council*.
- 5.2 The *Approving Officer* shall be the Chief Administrative Officer (CAO) or such other Officer as may from time to time be appointed by resolution of the *Council*.
- 5.3 No land within the *Village* shall be subdivided until approval by the *Approving Officer* has been obtained.
- 5.4 The determination of any excess or extended services, as defined by the Local Government Act, as may be amended from time to time, to be provided by the applicant is delegated to the *Superintendent of Public Works*.
- 5.5 The prescription and execution of any *Works and Services* agreement is delegated to the *Superintendent of Public Works*.

## 6 GENERAL PROVISIONS

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- 6.1 The *Approving Officer* may:
  - 1) bring the proposed *subdivision* to the attention of the *owners* of neighbouring property, or of other *municipal* officials, or of other public bodies, or officials, or of utility companies, for comment and recommendation;
  - 2) serve notice or require that the applicant serve notice of the proposed *subdivision* on the *owner* or other person whose land or interest therein, in his or her opinion, might be detrimentally affected by it; and
  - 3) require the submission of profiles of every new street and land shown on the plan, and such topographical details as may indicate the *engineering* problems involved in developing such streets and *lanes*.
- 6.2 The *Approving Officer* shall not grant approval of any *subdivision* of land:
  - 1) unless all the requirements of this *Bylaw* and all other *Bylaws* have been met;
  - 2) where the proposed *subdivision* fails to regard any official community plan provisions applicable to the area being proposed for *subdivision*;
  - 3) if there is any cost to the *Village* of providing public utilities and other *works and services* to the anticipated *subdivision*;
  - 4) if, in his or her opinion, the anticipated *development* of the *subdivision* would injuriously affect the established amenities of adjoining or adjacent properties, or would be against the public interest;

- 5) unless all regulations controlling access to the land to be subdivided are complied with; and
- 6) that is otherwise contrary to law.

6.3 The *Approving Officer* shall not approve any scheme or plan of *subdivision* which;

- 1) is not suited to the configuration of the land being subdivided; or
- 2) is not suited to the use to which it is intended; or
- 3) will make impracticable the future *subdivision* of the land within the proposed *subdivision* or any adjacent land; or
- 4) leaves any portion of a *parcel* being subdivided described as a remainder of such *parcel* unless, in the opinion of the *Approving Officer*, such remainder may be further subdivided and the *Approving Officer* has reason to believe that such *subdivision* will occur.

## 7 APPLICATION REQUIREMENTS AND PROCEDURE

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7.1 Fees for application and approval extensions for Preliminary Layout Approval, Tentative Plan Approval and Final Subdivision Approval are required and shall be in accordance with the Fee Setting Bylaw.

7.2 *Preliminary Layout Approval (PLA)*

- 1) The applicant shall request a pre-submittal design meeting with the *Approving Officer* and the *Superintendent of Public Works* to discuss the design concept, planning context, and submittal requirements.
- 2) The applicant may submit in writing to the *Approving Officer*, an application for preliminary acceptance which shall state the name and postal address of the applicant, the legal description and approximate location of the *parcel* to be subdivided, and a letter of authorization by the owner(s) of the land.
- 3) No application shall be accepted unless deemed complete by the *Approving Officer*.
- 4) The applicant shall submit to the *Approving Officer* three (3) paper copies and one digital copy on a flash drive in both PDF and DWG formats a preliminary layout drawn to a scale of not less than 1:2000 and clearly indicating:
  - (a) the dimensions and full legal description of the *parcel* or *parcels* to be subdivided;
  - (b) registered covenants;
  - (c) the location and extent of protected and natural areas;
  - (d) the location and extent of watercourses and water *frontages*;
  - (e) existing *road frontages* and *road names*;
  - (f) existing sanitary sewers, drainage ditches and water mains;

- (g) any existing property lines and streets to be eliminated by the proposed *subdivision*;
  - (h) existing buildings accurately located and identified;
  - (i) utility and other easements located and identified
  - (j) topographic information at 0.5 metre intervals;
  - (k) the arrangement of the *parcels* and streets which would be created by the *subdivision* including the widths of the proposed streets and the dimensions of the proposed *parcels* and any proposed alterations of *lot* lines or *subdivision* of any existing *parcels*;
  - (l) the relationship of the proposed *subdivision* to adjacent streets, and the connections of proposed new streets;
  - (m) plan, profiles, and location of proposed utilities;
  - (n) a design professional stamp or signature; and
  - (o) the intended use of each *parcel* to be created by the *subdivision*.
- 5) The *Approving Officer* may require the applicant to furnish:
- (a) such additional information as may be required to determine the suitability of the area for *subdivision* or the suitability of the size, shape, and orientation of the *parcels* required;
  - (b) data on the measures necessary to remedy wet conditions or liability to flood; and
  - (c) report and map of natural hazards on and off site, including geotechnical conditions, avalanche, debris flows, steep slopes, wildfire, and any other relevant natural hazards; and
  - (d) a comprehensive Erosion and Sediment Control Plan as prepared by a qualified professional.
- 6) Where a physical examination of land is required the *Approving Officer* may, at the cost of the *owner* of the land proposed to be subdivided, personally examine or have an examination or report made on the proposed *subdivision*.
- 7) Within sixty (60) days of the receipt by the *Approving Officer* of the application, or any additional information required under this *Bylaw* or the Land Title Act, as may be amended from time to time, the *Approving Officer* shall, in writing, either refuse or grant preliminary acceptance.
- 8) In the case of refusal of *Preliminary Layout Approval*, the notice of refusal shall explicitly state the reason for refusal.
- 9) The *Approving Officer* may grant conditional preliminary layout approval, which shall authorize the applicant to apply for Tentative Plan Approval subject to compliance with conditions he may specify in the notice of preliminary acceptance.
- 10) *Preliminary Layout Approval*, whether conditional or unconditional, shall:
- (a) be considered only as acceptance in principle;

- (b) not exempt the applicant from securing both tentative plans approval and *Final Subdivision Approval* prior to the deposit of the *subdivision* plan in the Land Title Office; and
  - (c) not bind the *Approving Officer* to grant either tentative plan approval or *Final Subdivision Approval*.
- 11) *Preliminary Layout Approval* shall:
- (a) be effective only for a period of 90 days provided that it may be renewed by the *Approving Officer* for one further period of 90 days, thereafter a new application for approval of the *subdivision* shall be required and shall be dealt with as an original application;
  - (b) become void upon the coming into effect of any *Bylaw* which would have caused the proposed plan of *subdivision* to be refused had such *Bylaw* been in effect at the time of initial application; and
  - (c) be subject to all *Village Bylaws* and plans governing the proposed *subdivision* and the applicant shall be informed of their requirements.

### 7.3 Tentative Plan Approval

- 1) The applicant may submit in writing to the *Approving Officer* an application for Tentative Plan approval after compliance with the requirements and conditions set out in the *Preliminary Layout Approval* and after receiving preliminary acceptance in writing from the *Approving Officer*.
- 2) The applicant shall state the name and postal address of the applicant and the legal description and approximate location of the *parcel* to be subdivided.
- 3) No application shall be accepted unless deemed complete by the *Village*.
- 4) The applicant shall submit:
  - (a) three (3) paper copies and one digital copy on a flash drive in PDF and DWG formats of a *subdivision* plan prepared in conformity with the Land Title Act, as may be amended from time to time;
  - (b) a certificate from the Collector of Taxes stating that all taxes which have been assessed or estimated on the land proposed for *subdivision* have been paid and that the provisions of Preliminary Plan Approval have been fulfilled.
  - (c) The *subdivision* plan shall show the level of detail described in Section 7.2 4);
- 5) In the case of a *parcel* of land having a watercourse or water *frontage* which is not included in the Designated Flood Plan Area or Riparian Area, as determined by the Ministry of Environment, then a Restrictive Covenant, in a manner acceptable to the *Approving Officer*, shall be filed on title, under the Land Title Act, as may be amended from time to time, during *subdivision* registration.

- 6) A Restrictive Covenant may prohibit the cutting, damage or removal of any trees or vegetation, and no building structure addition or pool shall be constructed, reconstructed, moved, extended or located in the setback area as follows:
  - (d) within a minimum of 30 metres of the natural boundary of a watercourse or lake; and
  - (e) within a minimum of 15 metres of a wetland.
- 7) Compliance with *Preliminary Layout Approval* provisions and Section 7.2 4) (c) constitutes the tendering of the *subdivision* plan for examination and approval for the purposes of the Land Title Act.
- 8) Within 60 days of the receipt by the *Approving Officer* of an application for tentative plan approval or the receipt of any additional information which may be required under the *Bylaw*, the *Approving Officer* shall in writing:
  - (a) grant conditional or unconditional Tentative Plan approval; or
  - (b) refuse Tentative Plan Approval stating explicitly the reason or reasons for refusal; or
  - (c) notify the applicant that Tentative Plan Approval is being withheld pending modification of the plan as he may require.
- 9) Where Tentative Plan Approval is withheld:
  - (a) the *Approving Officer* shall notify the *applicant* in writing of the requirements which must be met to obtain Tentative Approval; and
  - (b) the applicant may, within 90 days, re-submit to the *Approving Officer* for Tentative Plan Approval a revised plan of *subdivision* in the full number of copies and same detail required under 7.2 4) (c) of this *Bylaw*.
- 10) The *Approving Officer* shall, if satisfied that plans meet all the requirements of this *Bylaw*, grant Tentative Plan Approval within fifteen (15) business days of the receipt of the revised plans.
- 11) In all cases of Tentative Plan Approval, the *Approving Officer* shall explicitly state in writing any and all the requirements of Sections 8 and 9 of this *Bylaw* to be met before submitting the application for *Final Subdivision Approval*.
- 12) Tentative Plan Approval shall:
  - (c) be considered as certification by the *Approving Officer* that the proposed plan of *subdivision* is in accordance with this *Bylaw* and the Land Title Act, and that all requirements for *Final Subdivision Approval* have been met other than the satisfactory completion of required works;
  - (d) not exempt the applicant from securing *Final Subdivision Approval* prior to the deposit of the *subdivision* plan in the Land Title Office;
  - (e) be effective only for a period of 90 days; and

- (f) be re-sought in accordance with all the relevant provisions of this *Bylaw* if an application for *Final Subdivision Approval* is not submitted prior to the expiry of the above-mentioned 90 days.

#### 7.4 *Final Subdivision Approval*

- 1) The applicant may submit an application for *Final Subdivision Approval* only on completion of all *Works and Services* required under Section 9 of this *Bylaw* or following the execution of an agreement in accordance with Section 10.3 of this *Bylaw*.
- 2) The application for *Final Subdivision Approval* shall:
  - (g) Include two (2) mylar transparencies and six (6) paper prints of the subdivision plan prepared by a B.C. Land Surveyor in a form acceptable to the Land Title Office;
  - (h) Include written notification to the *Approving Officer* from the applicant of completion of all required works in accordance with Section 6.4 of this *Bylaw*;
  - (i) Include certification from the Collector of taxes stating that all taxes which have been assessed or estimated on the land proposed for subdivision have been paid;
- 3) Following notification from the *Approving Officer* and payment of Engineering Inspection Fees, the *Superintendent of Public Works* shall inspect the completed works and conduct any necessary examination to ensure that these works comply with the *Village* standards specified the Master Municipal Construction Documents (MMCD), as amended from time to time, and the standards contained in Schedule A to this *Bylaw*, and upon satisfactory completion issue a *Certificate of Completion*.
- 4) Any *latecomer fees* payable shall include interest rates in accordance with the Local Government Act, as may be amended from time to time.
- 5) Within 60 days of the receipt of an application for *Final Subdivision Approval*, the *Approving Officer* shall in writing:
  - (a) grant *Final Subdivision Approval*, or
  - (b) notify the applicant that *Final Subdivision Approval* is being withheld, stating explicitly the reason or reasons therefore.
- 6) *Final Subdivision Approval* shall be withheld only where:
  - (c) the complete works are not in accordance with the plans for which plan acceptance was granted; and/or
  - (d) the required works have not been carried out according to the requirements of this *Bylaw*.
- 7) *Final Subdivision Approval* shall be certified by the return to the applicant of the *subdivision* plan required under Section 7.10 of this *Bylaw*, signed and dated by the *Approving Officer* in accordance with the provisions of the Land Title Act, as may be amended from time to time.

- 8) *Final Subdivision Approval* either in the form of a plan or a certificate of *Final Subdivision Approval* signed by the *Approving Officer* shall be used for registration purposes within 60 days from the date of approval after which time approval is revoked unless the Registrar grants an extension of time under the provisions of the Land Title Act, as may be amended from time to time.

## 8 SUBDIVISION DESIGN AND ARRANGEMENT

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- 8.1 Every *lot* to be created shall abut on a street.
- 8.2 Panhandle Lots are prohibited.
- 8.3 Pedestrian *walkways* shall be dedicated and constructed where they are deemed by the *Approving Officer* to be essential to provide safe circulation or access to schools, playgrounds, shopping centres, transportation, beaches, and other community facilities or for proper circulation of pedestrian traffic. Such *walkways* shall have a minimum 3 metre *right of way* and a minimum hard surface width of 2.5 metres.
- 8.4 Street connectivity to new and existing streets shall be prioritized and only in the event of limitations due to topography or *parcel* configuration shall *cul-de-sacs* be allowed.
- 8.5 No *parcel* shall be created which has an area less than that required by the standards of the Zoning Bylaw.
- 8.6 Parcel that abut a street at both front and rear shall not be permitted unless, in the opinion of the *Approving Officer* such an arrangement is essential:
- 1) to provide access to other *parcels*; or
  - 2) to provide a coherent arrangement of streets; or
  - 3) to compliment a future pattern of *subdivision*.
- 8.7 Notwithstanding the provisions of the Zoning Bylaw the *Approving Officer* may refuse to authorize the creation of *parcels* meeting minimum size requirements where in his or her opinion, by reason of topography, soil or drainage conditions, such minimum standards would injuriously affect the established amenities of adjoining or adjacent properties or would be against the public interest.
- 8.8 The *Approving Officer* shall ensure that:
- 1) no junctions or intersections of *roads* is designed so as to create an undue hazard to traffic;
  - 2) jogs in *local* or *collector road* alignment are avoided unless the distance between *road* centre lines at the jog is 60 metres or more;

- 3) termination of streets shall be by a *cul-de-sac* in accordance with the standards in Schedule A to this *Bylaw*;
- 4) the maximum length of a terminating street shall not exceed 150 metres; and
- 5) *walkways* are provided as and where required.

8.9 Any non-navigable watercourse in lands to be subdivided may be made part of the *municipal* drainage system by dedication to the *municipality* at the time of *subdivision* where a right-of-way is not considered sufficient by the *Approving Officer*.

## 9 WORKS AND SERVICE REQUIREMENTS

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9.1 The applicant shall provide without compensation;

- 1) for *subdivision*, *roads* up to a width of 20 metres;
- 2) for *development* or *subdivision* land of a width not exceeding 10 metres for the purpose of widening a *road* to 20 metres; and
- 3) for a *subdivision* creating 2 *lots* or more, a 5% park land dedication or cash-in-lieu payment to the *Village* based on the land valuation following *subdivision*.

9.2 The following shall be completed at the sole expense of the applicant:

- 1) the removal of all structures encroaching upon and of obstructions of any kind to, the free and uninterrupted use by the public of the full width and extent of all new *roads*;
- 2) the clearing of all new *roads* to at least the minimum standard set forth in the BC Standard Specifications for Highway Construction (2016), as amended from time to time, and Schedule A of this *Bylaw*;
- 3) the grading, draining, and surfacing of all new *roads* to at least the minimum standard set forth in the Geometric Design Guidelines for BC Roads (2007), as amended from time to time, and standards in Schedule A of this *Bylaw*;
- 4) the connecting to the public waterworks system of the *Village* of a complete and fully operative system of water mains, valves, valve chambers and hydrants to at least the minimum standard set forth in the Master Municipal Construction Documents, as amended from time to time, and Schedule A of this *Bylaw*;
- 5) the connecting to the public sanitary *sewer system* of the *Village* of a complete and fully operative system of lateral sewers, manholes, necessary pumping stations and connections extending to and connected with the appropriate public sewage pumping stations, or other appropriate points of connection to the public *sewer system* and all of the said Works shall be constructed to at least the minimum standard set forth in the Master Municipal Construction Documents, as amended from time to time, and Schedule A of this *Bylaw*;
- 6) the *construction* of on-site rainwater management facilities such as detention ponds, rainwater gardens, and where appropriate, direct piping to Municipal drainage ditches;



- 7) *construction* of swale style ditches for rainwater management in accordance with Schedule A;
- 8) the *construction* of street-lighting connections, where required, to at least the minimum standards set forth in the Master Municipal Construction Documents, as amended from time to time, and Schedule A of this *Bylaw*.

9.3 The Approving officer shall determine at the time of application for a *Preliminary Layout Approval* whether park land is to be provided or a payment is to be made in accordance with the Local Government Act, as may be amended from time to time, taking into account whether there is sufficient land in the vicinity of the proposed *subdivision* for public park and open space, and shall determine the location and configuration of any park land to be provided in accordance with the following considerations:

- 1) suitability for active and passive recreation;
- 2) suitable access;
- 3) safety for users; and
- 4) community needs.

9.4 All works required to be done herein in connection with the *subdivision* of any lands shall be completed in accordance with the Master Municipal Construction Documents, as amended from time to time, and Schedule A of this *Bylaw*.

9.5 In the event that an *applicant* constructs *Works and Services* in excess of what is required or extended beyond undeveloped *parcels*, the *Village* may enter into an agreement with the *applicant* which identifies the costs that will be recoverable to the *applicant* by means of a Latecomer Charge which will be assessed to a future *applicant* that benefits from the *Works and Services*.

- 1) Every applicant for approval of a *subdivision* shall pay all school taxes and all *municipal* taxes, rates and charges, assessed and levied against the lands to be subdivided, and where such taxes, rates and charges for the then current year have not been assessed, levied and imposed on the said lands at the date on which the *subdivision* is submitted for tentative plan approval, pay the amount estimated by the Collector.

9.6 Maintenance Period

- 1) Upon receiving a *Certificate of Completion*, the *applicant* shall provide to the *Village* a Cash *bond* equivalent to 5% of the estimated *construction* cost of *Works and Services*.
- 2) A maintenance period of one year is established to ensure that *Works and Services* are satisfactory.
- 3) Upon a satisfactory review by the *Superintendent of Public Works*, the deposit shall be returned.

## 10 SERVICING AGREEMENT

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- 10.1 For any *development* or *subdivision*, a Servicing Agreement shall be required when determined by the *Superintendent of Public Works* that such is necessary.
- 10.2 All *Works and Services* to be constructed and installed to serve any proposed *development* or *subdivision* shall be constructed and installed to the standards prescribed in Schedule A of this *Bylaw* to the satisfaction of the *Superintendent of Public Works* at the *applicant's* expense prior to the issuance of a Building Permit or approval of a Final Plan of *subdivision*.
- 10.3 A Final Plan of *subdivision* may be approved prior to the completion of the required works, if the *owner* of such lands:
- 1) with the *Village* deposits in cash or an irrevocable letter of credit from a bank or other financial institution in a form approved by the Chief Administrative Officer in the amount of 120% of the estimate by an Engineer of the cost of installing and paying for all work and services required by this *subdivision Bylaw* before the *subdivision* plan is approved by the *Approving Officer*, and shall enter into a form of agreement prescribed by the *Village* to do the work.
  - 2) Release of cash deposits or other financial guarantees shall be made in according to the following:
    - (a) if the total estimated value of *construction* is less than \$10,000.00, no releases will be permitted;
    - (b) if the total estimated value of *construction* is \$10,000.00 or greater, but less than \$100,000.00, up to 75% of the deposit may be released. when the constructed works have been completed in compliance with the specifications contained herein, and inspected and approved by a qualified professional Engineer; and
    - (c) if the total estimated value of *construction* is \$100,000.00 or greater, up to 85% of the deposit may be released when the constructed works have been completed in compliance with the specifications contained herein and inspected and approved by a qualified professional Engineer.
  - 3) Upon satisfaction of the relevant provisions in article 10.3 2) (b) above, any remaining cash or letter of credit deposited with the *Village* will be returned to the *owner*:
    - (a) one year after the date of approval of the works by the *Village* and the *Village* shall deduct from this remainder the cost of repairing any damage to the said works during the one year period except such damage as is the result of the negligence of the *Village*, its servants or agents; or

- (b) upon the deposit of a bond of maintenance in a form acceptable to the *Village* guaranteeing payment of all costs of maintenance to the works for a period of one year from the date of approval thereof by the *Village* except such maintenance as is required from damage to the works caused by the negligence of the *Village*, its servants or agents.

10.4 The Owner shall provide evidence that he will indemnify and save harmless the Municipality against:

- 1) all actions and proceedings, costs, damages, expenses, claims and demands whatsoever and by whomsoever brought by reason of the *construction* and installation of all services therein described; and
- 2) all expenses and costs which may be incurred by reason of the execution of the said work resulting in damage to any property owned in whole or in part by the Municipality or which the Municipality by duty or custom is obliged, directly or indirectly, in any way or to any degree, to construct, repair or maintain; and
- 3) all expenses and costs which may be incurred by reason of liens for non-payment of labour or materials, workmen's compensation assessments, unemployment insurance, Federal or Provincial Taxes, and for encroachments.

## 11 PENALTIES AND PROCEDURAL PROVISIONS

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- 11.1 A person who violates a provision of this *Bylaw* is guilty of an offence and liable on conviction to a fine not exceeding two thousand dollars (\$2,000) plus the cost of prosecution.
- 11.2 A separate offence is considered to be committed on each day during which a violation continues.
- 11.3 The rejection of a plan by the *Approving Officer*, or the failure of the *Approving Officer* to act within the specified time limit, may be appealed in accordance with the provisions of the Land Title Act, as may be amended from time to time.
- 11.4 Every person who violates or who causes or allows to be violated any of the provisions of this *Bylaw* shall be guilty of an offence against this *Bylaw*; and each day on which such violation occurs or is caused or allowed to continue shall constitute a separate offence.

## 12 REPEAL

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- 12.1 *Bylaw* No. 195, the Subdivision Servicing *Bylaw* and all amending *Bylaws* thereto are hereby repealed.

## 13 SEVERABILITY

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- 13.1 The provisions of this *Bylaw* are severable and the invalidity of any part of this *Bylaw* shall not affect the validity of the remainder of this *Bylaw*.

READ A FIRST TIME THIS \_\_\_TH DAY OF \_\_\_ 2019

READ A SECOND TIME THIS \_\_\_ DAY OF \_\_\_ 2019

READ A THIRD TIME THIS \_\_\_ DAY OF \_\_\_ 2019.

\_\_\_\_\_  
Mayor Doug Daugert

\_\_\_\_\_  
CAO Ruby Decock

Certified a true copy of *Village of Port Clements development, Works, Services and Subdivision Bylaw*

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# Schedule A

## 1 MASTER MUNICIPAL CONSTRUCTION DOCUMENTS

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- 1.1 The Master Municipal Construction Documents (MMCD), particularly the Design Guideline Manual, as may be amended from time to time, shall serve as the standard for *construction* materials and water and sanitary sewer infrastructure design;

## 2 GEOMETRIC DESIGN GUIDELINES FOR BC ROADS, (CHAPTER 500 LOW VOLUME ROADS)

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- 2.1 The Geometric Design Guidelines for BC Roads, Chapter 500 Low Volume Roads, serves as the guiding standard for the design of *local roads* in *subdivisions*.

## 3 VILLAGE SUBDIVISION ROAD & DRAINAGE STANDARDS

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- 3.1 Notwithstanding standards of the Geometric Design Guidelines for BC Roads and MMCD, the *Village* standards for *local roads* and rainwater management shall be according to the following:
- 1) Road design
    - (a) Minimum *right of way* width: 20 metres
    - (b) Minimum driving *lane* width: 6 metres
    - (c) Minimum shoulder width: 1 metre each side
    - (d) Driving surface: Gravel or asphalt
  - 2) Rainwater management drainage shall be according to the following principles, subject to appropriate design by a professional.
    - (a) Grassed channels or swale drainage "ditch"
    - (b) Maximum side slope of 2:1 (width: height);
    - (c) 2.0% slope
    - (d) Minimum 1.5-metre-wide channel for a grassed swale, subject to professional design

### 3.2 Illustrations in plan view and perspective

- 1) Figures 1 and 2 are provided by way of example only to illustrate how a drainage scheme would appear for a *subdivision*. The figures were obtained from the Erosion Stormwater Manual, 2<sup>nd</sup> Edition, Volume 2, Chapter 4, Mississippi State University, 1996.

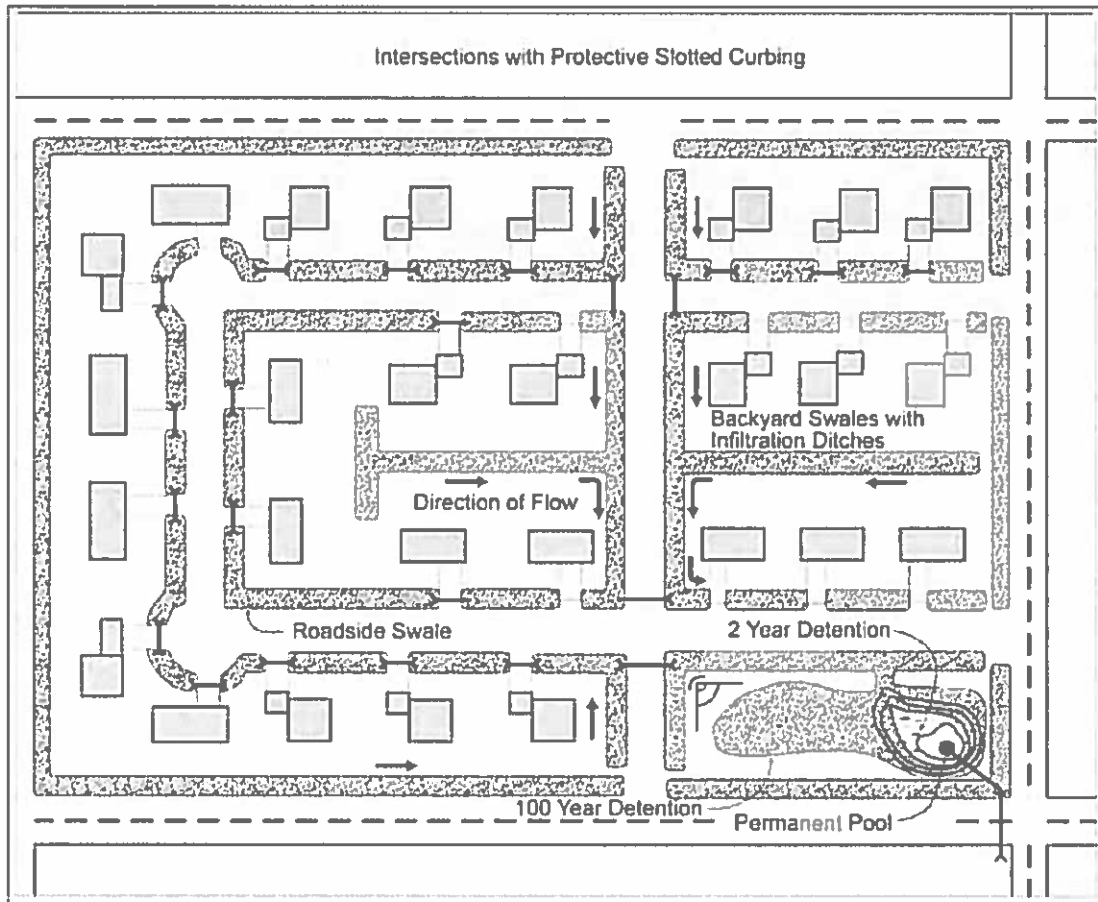


Figure 1 Sample Plan of Subdivision Illustrating Grass Drainage Swales



Figure 2 Illustration of Grass Swale for Drainage

## 4 CUL-DE-SAC DESIGN

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- 4.1 *Cul-de-sacs* shall be no longer than 150 metres in length and may be designed as a “bulb” or “hammerhead”, depending upon site conditions. Specific geometric standards are provided in Geometric Design Guidelines for BC Roads.

## 5 WALKWAYS FOR PEDESTRIANS

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- 5.1 *Walkways* for pedestrian use shall be a minimum of 1.5 metres in width and may be surfaced with crusher fine gravel or asphalt pavement.

## ACTION ITEMS

<u>#</u>	<u>Date</u>	<u>Description</u>	<u>Lead</u>	<u>Follow up</u>
A30	06-09-2016	Weight Room Upgrades	Administration	<p>Questionnaire distributed on equipment use - Several Turned in.</p> <p>Grant Writer to look for opportunities</p> <p>Ruth Bellamy &amp; CAO toured facilities to determine what improvements should be made.</p> <p>Grant Writer searching out funding.</p>
	14-03-2019			<p>Councillor Kish contacted Grant Writer about grants. She also spoke to Ruth Bellamy about equipment and removal of non-essential items. Plan to dispose of these items during free tipping day</p>
A36	08-08-2017	Sunset Park Mgmt. Plan	Council	<p>Review recently adopted Management plan in Nov/Dec 2017 and again in Nov/Dec 2018.</p>
	16-04-2019			Draft plan circulated to Council for review.
	03-06-2019			Motion made to hold public hearing and then adopt Management Plan. Staff dealing with scheduling.
	31-07-2019			Requested date for Aug 20/20 - waiting for confirmation
	22-08-2019			Public Meeting held to receive comments on proposed plan and Berry Maze
A-41	2018-09-260	Amend the Campground Bylaw fees		Still in Progress - Still needs to be reviewed
A42	03-09-2019	Interference with Telus Tower		<p>CAO to write letter explaining issue to Telus</p> <p>letter written &amp; sent off Oct.18,2019</p>